



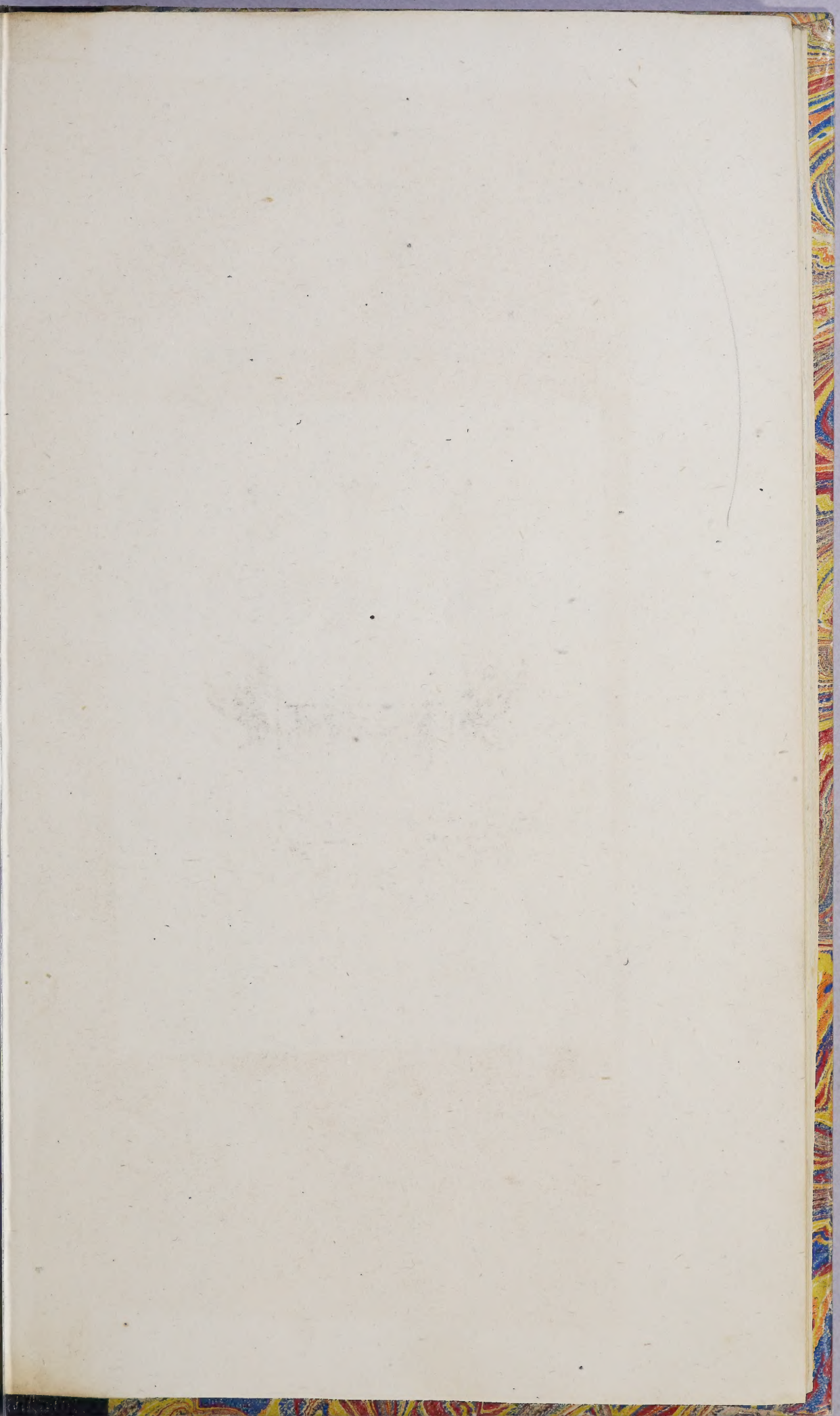


A432



John Carter Brown.







76:W



THE  
REV. JOHN FLETCHER'S  
ARGUMENTS,  
CONTAINED IN HIS  
"Vindication of the Calm Address"  
IN DEFENCE  
OF THE  
ASSUMED RIGHT  
OF THE  
BRITISH PARLIAMENT  
TO TAX  
AMERICA,  
CONSIDERED.

---

By a MEMBER of the Rev. Mr. WESLEY's SOCIETY.

---

" Has Heav'n reserv'd, in pity to the poor,  
" No pathless waste, or undiscover'd shore?  
" No secret island in the boundless main?  
" No peaceful desert, yet unclaim'd by SPAIN?  
" Quick let us rise, the happy seats explore,  
" And bear oppression's insolence no more."

JOHNSON.

---

L O N D O N :  
PRINTED in the YEAR MDCCLXXVI.



76:W

JOHN CARTER BROWN

copy

And how applicable, I believe to the  
of the law as the first law of the  
No particular duty, but unduly to  
The law is not in the hands of  
No particular duty, or unduly to  
of the law as the first law of the  
of the law as the first law of the

LONDON  
Printed in the Year MDCCLXXVI



## P R E F A C E.

Several of my friends, acquainted with my sentiments on the American Controversy, have asked me, "What I thought of Mr. Fletcher's Vindication?" I sometimes by that question have found myself in rather awkward circumstances: If, by commending Mr. Fletcher's many excellent qualities, I avoided giving a direct answer, the Enquirer perhaps would triumph, as having gained a complete victory; if I gave my opinion without reserve, he would smile at my weakness, or lament my being prejudiced; always taking care to affirm, that the Vindication was a master-piece---it fully treated the subject---was totally unanswerable.

"Warm Patriots" are too feelingly alive tamely to brook the accumulated indignities of scorn and defiance. This conduct in Mr. F's admirers, induced me to look over his Tract, with a view to answer it: and I soon imagined, if I could not tear up the foundations, and demolish the fabric, I might at least abate the vaunting, and reduce the height, of this proud, insulting Colossus.

It may possibly be said, a great part of the following pages consists of quotations, which, if left out, nothing worth reading would remain. This may be true;---and it is also a reason why they should not be left out.



Would it be right in me to condemn my friends to the drudgery of reading a book entirely void of sense and merit? My business was to answer arguments that had been answered before; it was, therefore, only necessary for me ~~only~~ to repeat those answers. Those who have read them in the originals, and who think that reading them in the connection they are here placed in, would be altogether loss of time, may lay the pamphlet aside, or, if they please, throw it away. I hope, however, they will not be offended at my putting into their hands a thing worth nothing, when they recollect I always meant it should cost them nothing.

Most controvertists pretend, that they write in good humour; that they oppose the errors of their adversaries, without any unkindness to their persons. If I may be allowed to judge of other men's feelings by my own, I shall admit this observation in its fullest extent. But I mean not to claim any virtue or merit for myself: the temper and disposition with which I have written, and every thing relative to the performance, must be left to the judgment of of such as are endued with sufficient patience to read it.



---

THE  
REV. JOHN FLETCHER'S  
ARGUMENTS, &c.  
CONSIDERED.

I Apprehend it is not near so strange, that Clergymen should become political disputants, as it is, that the Writer of the following pages should oppose any of the productions of Mr. Fletcher's Pen. He has formerly, with profit and satisfaction, heard him proclaim the glad tidings of salvation to a fallen race; and he acknowledges to have received comfort and edification in reading several of his pious writings. His grateful acknowledgements are also due to him on another account,—for his steady friendship to, and full defence of, that venerable servant of our Lord, the Rev. JOHN WESLEY. Mr. Evans ought not to have abused so worthy a man. His labours entitle him to double honour; and the success wherewith God has been pleased to crown them, proves him to be *a workman that needeth not to be ashamed, rightly dividing the word of truth*. Nor does the American cause require to be defended, by making illiberal attacks upon private characters: they lessen its dignity, and obscure the lustre of that truth and justice which support it.



I doubt whether Mr. Fletcher's zeal against "a high Republican spirit," has not carried him farther than he intended. To avoid Charybdis, he runs upon the rocks of Scylla. Lest we should be engulfed in the "licentious Patriotism" of *Ket* and his associates, and be forced to submit to the absurd and insolent dictates of some "enthusiastic Leveller under the Oak of Reformation," he pushes us forward, inadvertently, I presume, into the fangs of that relentless and voracious monster, called Despotism, or Arbitrary Power. He says, p. 8. "*Government must, in the nature of things, have both a right and a power to dispose (without our consent he means) not only of our money, but also of our Liberty and Life.*" He seems, indeed, startled at this tremendous proposition himself, and by way of qualification, adds, "*so far as that disposal answers ends agreeable to the Law of God, beneficial to the peace of Society, and conducive to the general good.*"—But who are to judge when those ends are answered? If Government, the qualification has no meaning; as every act of cruelty and oppression might be defended under the pretence of public good: and if the people are to be the judges, the proposition has no meaning; because they would deny the utility of every measure which they disliked.

In explaining his meaning, he asks the following questions:—*If you rob me of my property, how can the Sovereign effectually protect it, if he cannot force you to restore what you unjustly detain from me?—If you stop me on the road, how can he preserve my liberty, but by depriving you of yours?—If you attempt to murder me, how can he secure my life, but by taking away yours?*

I answer, these questions have no kind of relation to the American Controversy. By committing an injury, commencing highwayman, or rising to the crime of murder, I *forfeit* the privileges to which every unoffending member of civil society is intitled; I put myself into a state of war with the community,  
and



and the Law, not the Sovereign, acquires a power over my person and fortune, which, if I had remained innocent, it never justly could have had. To estimate the privileges and immunities to which Englishmen are entitled, by those that belong to pick-pockets and felons, is such an appeal to our "Consciences and Patriotism," as may excite the indignation, but can never satisfy the judgments of such as consider the import of what they read, and are in the least acquainted with the blessings, to which, as subjects of the British Crown, they have a right to enjoy.

I must own I have been not a little perplexed by the meaning Mr. F. gives to the word *Sovereign*. He means by it (p. 8.) "*the King and his Parliament jointly making and executing laws.*" This Gentleman has so much the advantage of me in point of learning, that I am afraid to call in question the propriety of his expressions. But may I be permitted to ask, In what English author is the word ever used in that sense before? Has he used it in that sense throughout his "*Vindication*?" Nay, has he ever attended to this definition after he wrote it?

An ingenious author observes, "That nothing is more easy than to write a Treatise in defence of any given absurdity, provided only that one of the terms at least in which it is proposed, be ambiguous \*" I by no means affirm, that Mr. F. designedly veiled his leading proposition in obscurity, for fear the poverty and nakedness of his cause should be exposed to public view; but I think every unbiaſſed and attentive reader will perceive, that much of the plausibility of his reasoning and declamation is derived from that circumstance. If he had not jumbled together the offices of King and Parliament, which in our Government are very different, a considerable part of his performance would, at first view, have been seen to be———*a sound, and nothing more.*

B 2

" In

\* Beattie.



“ In all tyrannical governments, the supreme magistracy, or the right both of making and executing laws, is vested in one and the same man, or one and the same body of men; and where-ever these two powers are united together, *there can be no public liberty.*” 1 Blackstone, 146. According to the opinion, therefore, of this learned Judge, Mr. F’s notions of the English Government *must be wrong*, or Mr. Montesquieu was mistaken when he said, “ that public liberty is the direct object of it \*.”

Perhaps it may not be altogether foreign to our present enquiry, to take a short view of the British Constitution, as we may thereby be enabled to form a more correct opinion respecting this important controversy. When we recollect the fundamental principles of our Government, we shall the more easily, and with the greater certainty, determine how far the measures against America are consistent therewith.

Our Government is compounded of the Monarchical or Royal, the Aristocratical, and the Democratical. Each hath, by long experience, been found imperfect. And it has been supposed, that a combination of the three, in a great measure, would remedy the inconveniencies of each. In our Government they would be remedied, as far as human infirmity will permit, if all the offices were supplied by persons of merit and capacity for discharging them, and of honesty and application to do it effectually.

In this, as in every other form of Government, there are three sorts of power—the *Legislative*—the *Executive*, in respect to things dependent on the *law of nations*—and the *Executive*, in regard to things that depend on the *civil law*.

The

\* “ Montesquieu, a learned French Author, who generally both thought and wrote in the spirit of genuine freedom, hath not scrupled to profess, even in the bosom of his own country, that the English is the only nation in the world, where political or civil liberty is the direct object of its constitution.” Com. i.



The Legislative power enacts temporary or perpetual laws, and amends or abrogates those that have been already enacted. It is that power which has a right to direct how the force of the Commonwealth shall be employed for preserving the community, and the members of it.

The Executive respecting things dependent on the *law of nations*, contains the power of *war* and *peace*, *leagues* and *alliances*, and all transactions with all persons and communities, *without* the Commonwealth, and is sometimes called the *fæderative* power; because the controversies that happen between any man *of the society*, with those that *are out of it*, are managed by the *public*; and an injury done to a *member* of their body, engages the *whole* in the reparation of it.—The latter kind of Executive, is that power, whereby crimes committed against the laws are punished, and differences that arise between individuals of the same society, are determined. This last is properly the *executory* power of the state.

These two powers, though they be really distinct in themselves, one comprehending the execution of the municipal laws of the society *within* itself, upon all that *are parts* of it; the other the management of the security and interest of the *public without*, with all those that it may receive *benefit* or *damage* from; yet they ought always to be placed in the *same* hands: for both of them requiring the *force of the society* for their exercise, it is almost impracticable to place the force of the Commonwealth, without weakening of it, in distinct, and not subordinate hands; or that the executive and fæderative powers should be placed in persons that might act separately, whereby the force of the public would be under different commands, without being liable, some time or other, to cause disorder and ruin. These two powers united we may call the supreme Executive Power of the state, which is by our laws vested in the King. The King of England is, therefore, not only the chief, but properly the



sole magistrate of the nation; all others acting by commission from, and in due subordination to, him.

[I shall take the liberty here to make one remark. Notwithstanding Mr. F's high pretensions to loyalty, and his professed veneration for our Sovereign, when he makes him only a Coadjutor with his Parliament in executing the laws, I think he much debases the transcendent dignity of his office, and degrades his sacred character, almost to a level with the Chairman of the Quarter-Sessions.]

It has been said, the Legislative and Executive Powers cannot exist in the same hands, without the loss of public liberty. The reason is, if the same persons had the power of making and executing the laws, they might so suit them to their own advantage, as to exempt themselves from obedience to them, and thereby come to have a distinct interest from the rest of the community; therefore, in all well-ordered Commonwealths, where the good of the whole is considered as it ought, the Legislative power is put into the hands of divers persons, who, duly assembled, have, by themselves, or jointly with others, a power to make laws, which, when they have done, being separated again, are themselves subject to the laws they have made; which is a new and near tie upon them to take care that they make them only for the public good.

[Is not this consideration sufficient to convince any one, not determined never to be convinced, that there is an essential difference between the condition of the non voters of *Madely* Parish (Mr. F's Vindication, p. 28.) and the inhabitants of our North American Colonies? The Parliament cannot lay a burden upon the former, without feeling a proportional weight of it themselves: on the latter they may heap extortion upon extortion, till the load becomes intolerable,



lerable, without so much as touching it themselves with one of their fingers. It may, indeed, happen, that the Subject may be free, and the Constitution not; that is, sometimes governors, through lenity or policy, may not exert that power in oppressing the people, which an ill constituted form of government places in their hands; in which case, the subject would be free in *fact*, but not of *right*; and this is the kind of Freedom Mr. F (p. 65.) opposes to abject slavery; and the only kind with which he seems acquainted. But the Americans are fighting to preserve the *right* of being free; that is, they are fighting in defence of the British Constitution.]

It is, however, necessary, that the Executive Power should be a *branch*, though not the whole, of the Legislature. The total union of them would be productive of Tyranny; the total disjunction in the end would produce the same effects. The Legislative body would become despotic; for as it might assume to itself what authority it pleased, it would soon destroy all the other powers. The Executive Power in our Government hath a share in the Legislature, by the power of *rejeſting*. This ſufficiently ſecures the Prerogative againſt encroachments. If it had the power of raiſing ſupplies, Liberty would be loſt; as it would then be inveſted with Legislative Power in the moſt important point of Legislation.

Another branch of the Legislature is the Houſe of Lords, commonly called the *Upper Houſe*. The diſtinction of rank and honours is neceſſary in every well governed ſtate: In order to reward ſuch as are eminent for their ſervices to the public, in a manner the moſt deſireable to individuals, and yet with the leaſt burden to the community; exciting thereby an ambitious, yet laudable ardour, and generous emulation in others. A body of nobility is, indeed, peculiarly neceſſary in a mixed and compounded form of Government, like ours, in order to ſupport the rights



of both the Crown and the People, by forming a barrier against the encroachments of both. And hence arises the necessity of their forming a separate and independant branch of the Legislature. If they were confounded with the mass of the people, and like them had only a vote in electing representatives, their privileges would soon be borne down by the popular torrent, which would effectually level all distinctions. They have not, however, any other share in levying money, than what is possessed by the Executive Power, viz. that of rejecting, if they think the Commons too lavish or improvident in their grants. The true reason of which, arising from the spirit of our Constitution, seems to be this: the Lords being a permanent hereditary body, elected at pleasure by the King, are supposed more liable to be influenced by the Crown, and when once influenced, to continue so, than the Commons, who are a temporary elective body, freely nominated by the people. All Bills, which may in their consequences affect the rights of the Peerage, are, by the custom of Parliament, to originate in the House of Peers, and to suffer no change or amendment in the House of Commons.

The whole body of the people compose the third branch of our Legislature. Every man of property in the kingdom, not having a seat in the House of Lords, and whose situation does not render him, in the view of the law, dependent upon, or under the influence of another (in which case he is deemed *not to have a will of his own*\*) has a voice in Parliament.

\* Mr. F. observes, p. 16. "If every one who has a will of his own ought to vote for members, then every man, woman, and child ought to vote; for all men, women and children have wills of their own." But there is a fallacy in this argument: there is in it the *mutatio hypothesis*, a transition from a thing of one nature to another: The major proposition relates only to an *uninfluenced* or *unbiased* will; and the assumption is of a will of any  
kind,



ment, either personally or by his representative. In so large a state as ours, it is wisely contrived, that the people should do that by their representatives, which it is impracticable for them to perform in their aggregate or collective capacity. The counties are represented by Knights, elected by the proprietors of lands. The cities and boroughs are represented by Citizens and Burgeffes, chosen by the mercantile part, or supposed trading interest of the nation. The University members represent the republic of letters. We have, therefore, the *design at least*, of a compleat representation. The scientific, the trading, and the landed interests, have each of them their advocates and guardians in the great council of the nation†. It seems, therefore, evident, that however inadequate and defective this representation may now be, the inconveniences have been introduced through the fluctuation of commerce, and the change of circumstances of particular boroughs, and are not chargeable upon the constitution, but ought to be attributed to that constant mutation to which all human affairs and institutions are subject. They are, however, in some measure remedied (though it must be confessed not sufficiently) by the consideration, that every member, though chosen by a particular district, when

*kind, or of a will abstractedly considered.* The argument fairly stated will stand thus :

Every one, who from his situation in life, may be supposed to have an uninfluenced or unbiafed will of his own, ought to vote :

But every man, woman, and child, may, from their situation in life, be supposed to have an uninfluenced and unbiafed will of their own ; therefore every man, woman, and child, ought to vote.

This second proposition is evidently false, and therefore the conclusion which is built upon it must be false also.

† It will possibly be said, the Funds, wherein is deposited the entire property of many respectable persons, are not represented. This is admitted. Money in the Stocks is a new species of property, unknown to our (in this respect) *happier* ancestors. And if it is not represented, neither is it taxed.



when elected and returned, serves for the whole realm; he is not barely to advantage his constituents, but the commonwealth.

It is the ancient indisputable privilege and right of the House of Commons, that grants of subsidies or parliamentary aids do begin in their House, and are first bestowed by them; although their grants are not effectual to all intents and purposes, until they have the assent of the other two branches of the Legislature. And so reasonably jealous are the Commons of this valuable privilege, that herein they will not suffer the other House to exert any other power but that of rejecting; they will not permit the least alteration or amendment to be made by the Lords to the mode of taxing the people by a money bill; under which appellation are included all bills by which money is directed to be raised upon the subject for any purpose, or in any shape whatsoever, either for the exigencies of Government, and collected from the kingdom in general, as the land-tax; or for private benefit, and collected in any particular district, as by turnpikes, parish rates, or the like.

These are the constituent parts of our Parliament, the King, the Lords, and the Commons; parts of which each is so necessary, that the consent of all three is required to make any new laws that shall bind the subject. When both Houses have done with any bill, it always is deposited in the House of Peers to wait the Royal Assent; except in the case of a money bill, which, after receiving the concurrence of the House of Lords, is sent back to the Commons. If the King consents to a public Bill, the Clerk of Parliament declares, in Norman French, *Le Roi le veut*, the King wills it; if to a private Bill, *Sait fait come il est désiré*, let it be as desired; if the King refuses his assent, it is in the gentle language of *Le Roi s'avisera*, the King will advise upon it. When a Money Bill is passed, it is carried up and presented



presented to the King by the Speaker of the House of Commons, and the Royal Assent is thus expressed, *Le Roy remercie ses loyal sujets, accepte leur benevolence, et aussi le veut*, the King thanks his loyal subjects, accepts their benevolence, and wills it so to be \*. An Act of Grace, proceeding originally from the Crown, has the Royal Assent in the first stage of it, after which the Clerk of Parliament declares the gratitude of the subject thus,—*Les prelates, seigneurs et Commons, en ce present Parliament assemblees, au nom de tout vous autres sujets, remercient tres humblement votre majesté, et prient a Dieu vous donner en sante bon vie et longue.*

The judiciary power of the State is also exercised by the body of the people, for from them are our juries selected. By this means, the power of judging, a power so terrible to mankind, becomes invisible; people fear the office, but not the magistrate †.

These, I apprehend, are some of the leading principles of our Government; and I believe, if they are fully considered, it will be found that they form the outlines

\* This form is used in the American Revenue Bills, in which the Commons use the words GIVE and GRANT. “Can men give and grant what they have not? Did any of those acts take a single penny out of the pocket of a single Giver and Grantor? No: so far from it, that, if there is any truth in the proverb, and Money saved is Money got, these ‘*dona ferentes*’ gentlemen put money into their own pockets, by their ‘loyal and dutiful’ generosity. Every individual of them acquired by bestowing. Pretensions thus to give, are such contradictions to fact and sense, that in making them a sanction of injustice is sought from a principle of the Constitution, and in describing them, a solecism in speech becomes a proper expression.”

DICKENSON’S ESSAY.

† The Writer desires it may be understood, that most of the preceding observations are copied from different authors nearly in their own words; he was not willing to venture an alteration of the language, where he could avoid it, on so intricate and important a subject.



outlines of a plan of civil polity, the most perfect that human wisdom ever devised. But all sublunary things are subject to decay. This form of Government, excellent as it is, will not preserve the empire from sharing the fate of Rome, Sparta, and Carthage: "It will perish, says Montesquieu, when the Legislative Power shall be more corrupt than the Executive." The nation may so far perish, as to lose its virtue, its liberty, and its importance, on the theatre of the world: but the Constitution, being founded on the principles of natural justice, and the reason of things, will, I hope, remain among mankind, till *the heavens and the earth, being on fire, shall be dissolved*. When a people are so far depraved, so sunk in vice, as to be incapable of relishing so distinguished a blessing, they probably will be left to their own corrupt devices. But the blessing itself, I trust, if it should be our misfortune to lose it, will appear with renewed lustre in some other part of the world. This celestial benefactress looks at present towards America for her future residence, when degenerate Britons will no longer entertain her. She will there appear in all her glory. That best species of Government, which is said to have been invented in the woods of Germany, will be admitted, improved, and carried to the highest state of human perfection in the wilds of America †.

Let us now proceed to consider Mr. Fletcher's Vindication. He observes, p. 9. "*That the Sovereign is intitled to a maintenance from his subjects suitable to the dignity of his rank.*" Certainly he is: but are King, Lords, and Commons, this Sovereign? If they are, it would be convenient for us, in order to provide a *royal sustenance* for every one of them, to  
tax,

† A plan of government which lately appeared in the American Papers, and which, it is said, they intend to adopt, if they are forced to declare themselves independent, seems to strengthen this opinion.



tax, not America only, but the whole world, if we were able. The Americans, it is well known, have never refused contributing to the support of civil government in their own country. Each Province allows a salary proportioned to its ability to the King's representative, the Governor, (who is appointed by his Majesty), and takes effectual care for the regular Administration of Justice. Is not this sufficient? What more ought they to do? It is, indeed, more than probable, had no attempt been made to deprive them of the exclusive right of disposing of their own property, that they would have consented, from affection to the King, and regard to the parent state, to grant a considerable annual sum towards helping us to throw off that load of Debt which now oppresses us †. But the attempt to ~~seize~~ by force any sum our Parliament may think proper, precluded all considerations of that kind, as it would look more like impertinence than generosity, to offer to give to another *freely*, what he may of *right* take when he pleases.

But "*the safety of the empire requires a force should always be ready to suppress seditions, prevent invasions, &c. Hence the need of a navy, an army, and a militia; of sea-ports, docks, fortifications, &c. Hence, in short, prodigious expences,*" p. 10. And have the Americans no expences of the kind? Have they no docks, no fortifications, no militia of their own to provide for? Governor Hutchinson, in his History of the Massachusetts Bay, says, "I cannot avoid a reflection upon the heavy burdens the people of this Colony subjected themselves to this war (the war before last is meant.) The castle and other fortifications at Boston, the several forts in the eastern country, the various expensive expeditions actually prosecuted, and the preparations made for others," added

† Instructions to Pennsylvania Delegates.



“ added to the constant defence of the extensive frontiers,  
 “ tiers, and to the support of the Civil Government,  
 “ without any relief or compensation from the  
 “ Crown, certainly must have occasioned such an  
 “ annual burden, as was not felt by any other subjects of Great Britain.” And if we do but consider what toils and labours, wars and fightings, dangers and deaths, what expence and sorrow, the inhabitants of this Colony have, from its first settlement, sustained, we can hardly be so disingenuous as to charge them with not having contributed their share towards the protection and defence of the Empire. Have they not always assisted us in our wars to the utmost of their abilities? “ Where-ever danger  
 “ threatened, and the voice of our common Sovereign  
 “ called them to the field, they left us not alone,  
 “ but shared our toils, and fought by our side, till  
 “ there stood not a man of all our enemies before us.  
 “ Nay, did we not ourselves testify on their behalf,  
 “ that they not only did their part, but more than  
 “ their part? Did we not, in fact, reimburse them,  
 “ what they, consulting their zeal more than their  
 “ ability, had advanced beyond their proportion †?”

Can any thing then be more remote from justice and common sense, than that strange requisition which our Ministerial Writers so loudly make, of being reimbursed the expence we were at last war in defending the American possessions? The account has been liquidated. We acknowledged the balance was against us, and have paid it.

I know it is alledged, that the Colonists were the occasion of the late war; but this is contrary to truth and fact. The British Crown claimed the sovereignty of a district, which the French asserted belonged to them, and on which they had built several forts. In what

† Alluding to the Parliamentary Reimbursements.



what respect were the Americans concerned in this dispute? They pretended no rights of sovereignty. The Crowns of England and France quarrelled about the limits of their respective dominions, and the situation of the Colonists, near the object of contention, brought upon them a considerable part of the calamities of the war. The French were *their* enemies, only because they were a part of the British empire. An elegant writer† some years ago (although he has lately pretended to be of another mind) ascribes the late war to this cause: “It is allowed on both sides, says he, that hostilities began in America, and that the *French* and *English* quarrelled about the boundaries of their settlements, about grounds and rivers to which, I am afraid, neither can shew any other right than that of power, and which neither can occupy but by usurpation, and the dispossession of the natural Lords and original inhabitants. The dispute is only the quarrel of two robbers for the spoils of a passenger. The French and English have parted the Continent of North America between them, and are now fighting about their limits, and each is endeavouring the destruction of the other, by the help of the Indians, whose interest it is that both should be destroyed||.”

Mr. F. therefore need not say, “*the Colonies have been spared in their infancy.*” They have, from their infancy, been taxed by their own Assemblies for the purpose

† Dr. Johnson.

|| “The late war was undertaken solely for the benefit of Great Britain. The objects of it were, the securing to herself the rich tracts of land on the back of her Colonies, with the Indian trade, and Nova Scotia, with the fishery. Those, and much more has that kingdom gained: But the inferior animals that hunted with the Lion, have been amply rewarded for all the sweat and blood their loyalty cost them, by the honour of having sweated and bled in such company.”

FARMER'S LETTERS.



purpose of protecting the empire. And they have moreover been severely, though indirectly, taxed by the British Legislature. An advocate for them observes, "Great Britain has confined all our trade to herself. We are willing she should. But we ought to be allowed as credit, in the account of public burdens, and expences, so much paid in taxes, as we are obliged to sell our commodities cheaper to her than we could get for them in foreign markets. This difference is really a tax upon us for the good of the empire.—We are obliged to take from Great Britain commodities which we could purchase cheaper elsewhere: This difference is also a tax upon us for the good of the empire: and we submit to it chearfully. I will, says the writer, venture a bold assertion. The three million Americans by the tax aforesaid upon what they are obliged to import from Great Britain only, and the quantities of British manufactures, which in these climates they are obliged to consume more than the like number of people in any part of the three kingdoms, ultimately pay more taxes and duties, than are paid in Great Britain by any three millions of subjects in the three kingdoms. All this may be computed and reduced to stubborn figures, by those who have access to Custom House accounts§."

If

§ "We are prohibited going to any markets northward of Cape Finisterre, in the kingdom of Spain, for the sale of commodities which Great Britain will not take from us, and for the purchase of others with which she cannot supply us, and that for no other than the arbitrary purposes of purchasing for themselves, by a sacrifice of our rights and interests, certain privileges in their commerce with an allied state. Our tobacco, after the consumption of Great Britain is supplied, must remain with the British merchant for whatever he is pleased to allow us, to be by him reshipped to foreign markets, where he will make sale of them for their full value. By an Act passed in the 5th year of George the Second, an American subject is forbidden

" to



If this is admitted, would it not be unreasonable to encrease their taxes, in order to relieve ourselves? If it is not admitted, "Relinquish," say the Americans, "the monopoly of our trade, and we will contribute our full proportion to the expences of the Empire. But do not propose, by holding both, to exact from us *double* contributions." See *Answers from Assembly of Virginia, and Continental Congress, to Lord North's Proposition.*

I have been particular in shewing the groundlessness of the charge urged against the Americans, that they contribute nothing, or but very little, to the national expence; they, doubtless, contribute an adequate proportion: but it is, nevertheless, acknowledged, that they resist the operation of the Act for raising a revenue

"to make a hat for himself of the fur which he has taken perhaps  
 "on his own soil. By an Act passed in the 23d year of the same  
 "reign, the iron which we make we are forbidden to manufacture;  
 "and, heavy as that article is, besides commission, insurance, &c.  
 "we are to pay freight for it to Great Britain, and freight back again  
 "for the various necessary articles into which it is manufactured."

SUMMARY VIEW OF THE RIGHTS OF AMERICA, p. 14.

"If Great Britain has a constitutional power to prevent us from  
 "slitting iron, *as she has done*, she has a constitutional power,  
 "that is, a *right* to prohibit us from raising grain for our food;  
 "for the principle that supports one law, will the other. What  
 "a vast demand must be made on her for this article, if we  
 "depended wholly on her for our daily bread? Her modern writers  
 "consider the Colonists as slaves of Great Britain, shut up in  
 "a large workhouse, constantly kept at labour, in procuring such  
 "materials as she prescribes, and wearing such clothes as she  
 "sends.—Should she ever adopt the measure abovementioned,  
 "and on our complaints of grievances withhold food from us—  
 "what then?—Why then, on her principle—it would be  
 "right—TO BE STARVED.—To say in such case, we  
 "should have any other *right*, would be a "traiterous and rebellious  
 "denial of the supreme Legislature of Great Britain," for  
 "she "has power of *right* to bind us by statutes in all cases what-  
 "soever."

DICKENSON'S ESSAY.



revenue upon them, not because the taxes are unreasonably heavy and exorbitant, but because they are *unconstitutional* and *illegal*. They claim, as their unalienable right, the privilege of *giving* and *granting* their own money; and assert, that no power on earth has a right to take it from them without their consent. They also contend, that this involves in it a right to inspect and controul the application of the money, lest it should be employed to their injury, or squandered away in corruption, idleness, and dissipation.

Mr. Fletcher will now reply, with some warmth, “ *It is as impossible for a subject to say to his Sovereign, You shall not tax me without my consent, as to say, You shall not protect the empire without my consent.*” P. 11.—If by Sovereign he means the King, it is answered, his Majesty cannot tax his *British* subjects, without their consent; because all taxes are *free gifts* of the people. But if by Sovereign he means the Parliament, the objection is little better than nonsense. The Commons are the Representatives of the people, and if they consent not, no tax can be imposed. Judge Blackstone says, “ No subject of England can be constrained to pay any aids or taxes, even *for the defence of the realm*, or the support of Government, but such as are imposed by his own consent, or that of his Representatives in Parliament.” Mr. F. possibly may say, This is only the authority of an “ English Judge.” P. 16. Very true: but may we not presume to ask, —If this authority is not as good as his own?—It would, moreover, be very curious to see a majority of the Delegates of a people waiting on their chief Magistrate, to tell him, —*We do not consent to be protected.*

But it is said, the unrepresented Colonists ought to pay taxes imposed by the British Parliament, because our Lord directed the Jews to pay tribute to Tiberius Cæsar, “ *although no Jew had a representative*

in



*in the Roman Senate.*" P. 12.—How inventive are some people's imaginations! Because conquered Jews, bowing under the yoke of a "bloody tyrant," have no rights, no privileges;—therefore British Colonists have none! The Jews could have no pretence for refusing to pay such taxes as were imposed in perfect conformity to the established laws of that government to which they acknowledged themselves subject. Our Colonists confess they owe allegiance to King George, and they are willing to give *him his due*. They declare themselves ready to pay the utmost attention to any requisition his Majesty shall make, providing it is made in the manner, and by a voice, which they understand. They understand the King's language only when he speaks by the mouth of the Governors whom he hath set over them. The British Parliament is a stranger; they know not its voice, nor have they any known established means of becoming acquainted with it. The piece of money Mr. F. talks of is not *lawful coin*; the image upon it is not King George's, but a monster's, a human head, and a gorgon's tail; and the motto is unintelligible, in a barbarous language, unknown to the Law and Constitution.

It is not denied, but that the Colonists have always been in the practice of taxing themselves; but their adversaries contend, "*That their legislatures are only like vestries of parishes, who have a right to cels themselves with respect to their private expences, which by no means exempts them from the taxes laid upon them for the general expence of Government.*" P. 14.—

We answer, 1. Vestries of parishes have no right to cels the inhabitants of a parish. Not a shilling can be assessed upon any inhabitant but by authority of Parliament, and for the purpose expressly mentioned in the Act. 2. The Colonists are invested with sufficient legal powers to tax themselves for the *general expences of the empire*, and they have always done it to the utmost of their abilities, and sometimes beyond



their proportion. Is it then *just* or *reasonable* that they should be taxed over again, by a power which they are unacquainted with; “ which will not suffer itself “ to be questioned; which *eases* itself by *loading* them, “ and to which it is impossible to fix any bounds?”

In order to be convinced how far the Colonists are possessed of general legislative powers, we need only make a short extract from any one of their charters. In the Pennsylvania Charter it is granted to William Penn, &c. “ full power to raise money, either for public use of the said Province, or for particular persons, by and with the consent of the “ freemen of the said county, or of their delegates, “ or the greater part of them: also authority to appoint any justices, magistrates, and officers whatsoever, for what causes soever, for the probates of “ wills, and for granting of administrations, with “ what power soever, and in such form as to the said “ William Penn, &c. shall seem meet; also to remit, release, pardon, and abolish, whether before “ judgment or after, all crimes and offences whatsoever, treason and wilful murder only excepted; “ and in these cases to grant reprieves, until the “ King’s pleasure may be known therein; and to do “ ail and every thing and things, which unto the “ complete establishment of justice unto courts and “ tribunals, forms of judicature, and manner of proceedings do belong; and by judges, by them delegated, to award process, hold pleas, and determine, in all the said courts and tribunals, “ all actions, suits, and causes whatsoever, as well “ criminal as civil, personal, real, and mixed.”

——It is directed, that all laws made in the Province shall be made as conformable as may be to the laws of England: and the King reserves to himself, his heirs and successors, the hearing and determining appeals. The charter also grants, “ full “ power to erect and constitute seaports and keys for “ lading and unlading goods; and also to receive such “ port duties and customs as shall be imposed by the

“ Assembly



“ Assembly of the Province: also to levy, muster,  
 “ and train, all sorts of men, of what condition so-  
 “ ever, and to make war upon, and pursue, any  
 “ enemies, as well by sea, as by land, even without  
 “ the limits of the said Province, and (by God’s as-  
 “ sistance) to vanquish and take them, and being  
 “ taken, to put them to death, by the law of war, or  
 “ to save them alive at their pleasure.”—Could any  
 one have imagined, that Dr. Johnson would have in-  
 sinuated, that all this is only descriptive of powers  
 belonging to parish officers!

But it is pretended, that if the Americans refuse  
 to admit a right in our Parliament to tax them, they,  
 in effect, refuse all subordinate connection with Eng-  
 land; that we can either bind them in all cases, or  
 we cannot bind them in any: and as they have ad-  
 mitted our laws for the regulation of their Commerce,  
 they have thereby given us a right to dispose of their  
 property; “ *because, say these gentlemen, the reception*  
 “ *of any law draws after it, by a chain which cannot*  
 “ *be broken, the necessity of admitting taxation.*” P. 14.

This manner of reasoning supposes, that there can  
 be no Government but an absolute, unlimited, one;  
 that acquiescence to the will of a superior in *one*  
 point, necessarily involves in it the duty of absolute  
 submission in *all*; that to allow we have *duties*, is to  
 deny we have *immunities* or *rights*. All this is suffi-  
 ciently refuted by the principles of the English Go-  
 vernment; the forms of our Parliament make it evi-  
 dent, that there may be a difference in the right of  
 granting money for the service of the state, and the  
 right of general legislation. A law that shall bind  
 the people may originate in the House of Lords; but  
 a bill of Supply, *being a free gift from the people*, can  
 originate only in that House where the people are  
 represented. Nor can it constitutionally affect any  
 who live in a district that sends no representatives.  
 Can that be a *free gift* which is raised upon a people  
 who are not consulted, and who never consent? We  
 make laws for regulating the policy and commerce of



Ireland, to which Ireland yields obedience ; but does it therefore follow, that we have a right to tax the Irish without their consent ?

Mr. F. says, "*Ireland is an exception.*" P. 19.—But is not this to contradict his own principle ? Is it not *breaking the chain*, which he affirms *cannot be broken* ? However the circumstances relating to Ireland may differ from the circumstances relating to the Colonies, if it be true that the reception of any law draws after it the *necessity* of submitting to taxation, the British Parliament *must* have a right to tax Ireland ; to suppose it has not, would be making Dr. Johnson's *indissoluble chain*, what in fact it is, a mere band of smoke.

But may we not ask, In what respects do Ireland and the Colonies differ ? Mr. F. replies, "*Ireland is a kingdom by itself, coins its own money, and has its peculiar Parliament.*" P. 19 ———The Colonists have as ample powers of Legislation as the Irish have. They have all the requisites of a Parliament ;—the Governor, like the Lord Lieutenant of Ireland, represents the King,—the Council, the House of Lords,—and the House of Representatives is literally the representative body of the people. Upon what principle then of reason or justice is it, that you interpret the *same powers* more liberally in favour of Ireland, which is a conquered kingdom, than you do of the Colonists, who are our children ? Do you treat your enemies better than your friends ? The Governments in the several Colonies were intended to be the exact model, the *effigies parva* of our own. Can Ireland plead greater privileges ? Would it not be a strange kind of policy to concede, of our own motion, the distinguishing characteristic of the British Constitution to an hostile and conquered kingdom, and deny it at the same time to those who, being of the same blood with ourselves, are entitled to it by birth, and whose only crime seems to have been that of converting, at  
immense



immense toil and danger, a barren and savage wilderness, into beautiful fields, *smiling with pleasure, and waving with fertility* \* ?

When men are determined to defend a cause totally indefensible upon the principle of equity and reason, they are often obliged to have recourse to evasion, artifice, and sophistry, to give some degree of plausibility to positions founded in error; and they will not fail to embellish these with a little loose declamation, that they may, with the greater facility, gain admittance into the mind of the unsuspecting reader. Mr. F. P. 19. asserts, "That *the Irish coin their own money*." The expression in this place is general, we must, therefore, understand him to mean, that they coin *all* their own money, which is *not true*. Indeed, fifteen pages after, when the error may be supposed to have had its full influence on the reader's mind, he limits the expression, by saying, they coin their own money *in part*. The assertion, thus corrected, may be admitted. Most people, it is presumed, have seen Irish halfpence and Irish farthings, and perhaps no one ever saw any other kind of Irish money. Is there, then, such efficacy, such virtue, in stamping a few round pieces of copper, that an argument can be drawn from it to prove a right in a dependent state to the inestimable privilege of being taxed only by its own people; while others, equally dependent on the same superior state, are excluded that privilege, merely because they have not been in the practice of stamping them? But whatever force there may be in this reasoning, it will not apply to the

\* Mr. Hutchinson says, "The first settlers in Massachusetts Bay frequently complained, that they were banished from all the delights of life.—Before them an ocean 3000 miles over; behind them a dreary wilderness of unknown extent; the darkness of the night rendered horrible by the unceasing howls of wolves and other ravenous beasts, and the more terrifying yells of wild and savage men."



the Colonists, as they also *in part* coin their own money; for paper money, issued by the Legislature of each Colony, constitutes a part of their lawful coin. And lest it should be suspected that there is not so much virtue in stamping paper as there is in stamping copper, I must beg leave to observe, that some of the charters give the Colonists a right to coin any sort of money they may think proper. A quotation from the charter of Virginia will be sufficient to prove this:

———“ And they shall, or lawfully may, establish  
 “ and cause to be made, a coin to pass current there,  
 “ between the people of those several Colonies, for  
 “ the more ease of traffic and buying between and  
 “ amongst them and the natives there, of such metal, and in such manner and form, as the said several Councils there shall limit and appoint.”

But let us return to the argument for taxation, drawn from the practice of regulating and restraining their Commerce. The Americans admit a right in the British Parliament to make laws for the regulation of their trade. This is granted on all hands. The question then, is, Upon what principle is this right admitted, which will not involve in it the important right of Taxation? I shall attempt a solution of this difficulty, nearly in the words of an American:

“ Commerce rests on concessions and restrictions  
 “ mutually stipulated between the different parts of  
 “ the world. The right of *acquiring* property depends on the rights of others: the right of *acquired* property solely on the owner. Were the Colonies  
 “ in America independent states, Great Britain might  
 “ stipulate the terms on which she would trade with  
 “ them; and she might also prescribe the mode in  
 “ which they should trade with other states, or withdraw the benefits and favours conceded to them,  
 “ in consideration of being allowed such superintending power. But such a power of regulating trade  
 “ involves not in it the idea of supreme Legislation  
 “ over them. The first is a power of a preserving,  
 “ *protecting*



“ *protecting* nature : the last is a power *whose enormous weight spreads horror and destruction on all inferior movements*. The first is a power subject to a constitutional check. Great Britain cannot injure us by taking away our commerce, without hurting herself immediately. The last is a power without check or limit. She might ruin us by it.

“ The power of regulation was the only band that could have held us together ; formed on one of those of original contracts,—which only can be a foundation of just authority. Without such a band, our *general commerce with foreign nations*, might have been injurious and destructive to her : Reason and Duty reject such a licence. This our duty resembles that of children to a parent. The parent has a limited power over them ; but they have rights which the parent cannot take away \*.”

Several other reasons might be mentioned to shew the essential difference there is in the principle of regulating their trade, which they consent to, and of taxing them without their consent. But if it could be proved, (which I am persuaded is impossible) that no real difference subsists—What should we gain? Would the Americans admit your right to tax them? Not at all. They would retract their consent to the other. They would tell you, as they have done, “ to be sub-ordinately connected with England, the Colonies *have contracted*. To be subject to the general legislative authority of that kingdom they *never contracted*. Such a power, as may be necessary to *preserve this connection*, she has. The authority of the Sovereign, and the authority of controuling our intercourse *with foreign nations*, form that power. Such a power leaves the Colonies free. But a general legislative power is not a power to preserve that connection, but to distress and enslave them.

“ If

\* Dickinson's New Essay.



“ If the first power cannot subsist without the last,  
 “ *she has no right even to the first*—the Colonies were  
 “ deceived in their contract—and the power must be  
 “ unjust and illegal ; for God has given to them a  
 “ *better right* to preserve their Liberty, than to her  
 “ to destroy it.”

Mr. Burke treats this subject with so much precision, that I shall take the liberty to transcribe a passage from his Speech of 1774 :—“ Be content to  
 “ bind America by laws of trade ; you have always  
 “ done it. Let this be your reason for binding their  
 “ trade. Do not burden them with taxes ; you were  
 “ not used to do so from the beginning. Let this be  
 “ your reason for not taxing. These are the arguments of states and kingdoms : Leave the rest to  
 “ schools ; for there only they may be discussed with  
 “ safety : but if, intemperately, unwisely, fatally,  
 “ you sophisticate and poison the very source of Government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme authority,  
 “ you will teach them by these means to call that sovereignty itself in question. When you drive him  
 “ hard, the boar will surely turn upon the hunters.  
 “ If that Sovereignty and their Freedom cannot be  
 “ reconciled, which will they take ? They will cast  
 “ your Sovereignty in your face. No body will be  
 “ argued into slavery. Sir, let the Gentlemen on the  
 “ other side call forth all their ability ; let the best of  
 “ them get up, and tell me, what one character of  
 “ liberty the Americans have, and what one brand of  
 “ slavery they are free from, if they are bound in  
 “ their property and industry, by all the restraints  
 “ you can imagine on commerce, and at the same  
 “ time are made pack-horses of every tax you choose  
 “ to impose, without the least share in granting them ?  
 “ When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of  
 “ unlimited



“ unlimited revenue too ? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation either to his feelings or his understanding.”

The case of those myriads among us who have no right to vote for Members of Parliament, furnishes Mr. F. with another argument in defence of his claim to tax America. And it must be acknowledged he has made the most of it: He has certainly taken great pains, and has discovered amazing ingenuity, in proposing it in every point of view that a most productive invention could devise. He employs, I think, no less than seventeen pages to state, inforce, illustrate, and embellish it. The judicious reader must determine with what success.

He attacks Mr. Evans very severely (P. 15) for saying, “ *that unequal representation was an acknowledged defect of the Constitution\**. One would hardly have thought so guarded an expression, and so calmly delivered, could have afforded matter for strong reprehension. Yet Mr. F. is all zeal, all indignation, at it. He seems as much alarmed for the Constitution, as he would be for his house if it was on fire. Sir, says he, *your zeal for the Constitution throws off its mask at last! you avowedly impeach the Constitution! might you not have said at once—the Constitution is defective, and we patriots, we friends of the Constitution, will avowedly find fault with the Constitution, till we can have an opportunity of casting it into a new mould!*—This question enables us to guess at the reason

\* “ As trade is of a fluctuating nature, and seldom long fixed in a place, it was formerly left to the Crown to summon, *pro re nata*, the most flourishing towns to send representatives to Parliament; so that, as towns increase in trade and grew populous, they were admitted to a share in the Legislature. But the misfortune is, that the deserted boroughs continued to be summoned, as well as those to whom their trade and inhabitants had been transferred.” 1 Bl. 174.



son of all this heat. Mr. Evans, and the rest of the "*Antinomian patriots*," were to be represented in disadvantageous colours, lest an unprejudiced public, open to receive the genuine dictates of truth, should be influenced to condemn the sanguinary measures adopted by Administration against their American brethren. Hence that flood of calumny which pollutes Mr. F's 17th page; where he insinuates, that those who differ from him, are "*a mob of ungrateful, uneasy, restless men, who despise dominion, speak evil of dignities; give to illiberal behaviour, scurrilous insolence, and disloyalty unmasked, the perverted name of Patriotism.*"—To this dreadful charge, I must take the liberty to plead, *Not Guilty*. I love and reverence King George as much as Mr. F. does. I value the Constitution of my Country at least as highly as he values it: And yet, perhaps, few people dislike the civil war in which we are now engaged more than I do. I dislike it, because I think on our side it is *unjust*; and because I apprehend it is pregnant with the deepest mischiefs to my King, my Country, and to my much injured Brethren in America.

It is, however, after all confessed, that we are *unequally represented*. Nay, Mr. F. takes a deal of pains to prove, that we *necessarily must* be so. He observes, P. 32. "*The scheme of equal representation is absurd and impossible; before it can be brought to bear, all Britons must be equally wise, rich, noble, learned, experienced, and diligent. They must also be all of one sex and age.*" And, what is more extraordinary still, "*they must all live in the same place, and at the same time.*" These are curious propositions to be sure. Let us, for our amusement (for they hardly relate to the matter in dispute) see in what manner they are supported.

"*If Britons are to be equally represented, have not the rich a right to make a Congress, and to enact, that as the man who has forty shillings a year in land, has one vote; so he who has twice forty shillings, should have two*



“ *two votes.*” P. 31. So he may, if they happen to be in two counties. But the next question kindly helps us to answer the first. “ *Have not the poor a right to rise in their turn, under pretence that rich men have but one body and one life (each) any more than the poor?*” And if that plea should be thought insufficient, we need only look back one page, and we shall find another ready formed to our hands:—  
 “ *If the poor have little of the necessaries of life, by every dictate of common sense, it is of the greatest consequence to them not to be robbed of that little. The parting with a couple of shillings, or the losing two days work in mending the highways, is more to a poor man who has a large family, than the losing of 2000l. is to a man of fortune.*” This I hope is unanswerable. Let us then go on.

“ *The wise and experienced will rise also, and urge, it is absurd that a young man, or a fool, should have as great a share in the Legislature as a wise aged man.*” It may be answered, the wise and aged have only one body, and one life each, any more than the young and foolish; and, therefore, it is unreasonable the former should have a greater part in the Legislature than the latter. Mr. F. it may be presumed, was not willing to press his adversaries (if in this point he has any) too far, or he might, doubtless, have shewn the impossibility of an equal representation in several other instances equally suitable for his purpose with those he has mentioned: Such as the claims of the tall against the short, and of the short against the tall; of the fat and bulky against the lean, and of the lean against the fat and bulky, &c. &c. &c. An ingenious writer, such as Mr. F. is allowed in a very eminent degree to be, might easily have so amplified and embellished these several particulars, as to extort the highest admiration from no small number of his readers, who would probably have cried out, in a kind of extacy—*What an amazing*



*ing man!* he makes every thing so plain, that the most incredulous surely must be convinced. It is, however, possible, that some few of the antinomian patriots, out of an idle and pertinacious fondness for their own opinions, might still refuse their assent; they might, perhaps, half lose their temper, and in a fit of impatience throw the book into the fire, getting rid, by that means, of the sense and nonsense all together.

“ To laugh were want of goodness and of grace, ]

“ And to be grave exceeds all pow’r of face.”

We have, indeed, a curious argument in the 19th page: “ *As all the voting Burgesses and Freeholders in Great Britain virtually represent the commonality of all the British Empire, except Ireland, so the House of Commons virtually (I think he might have said actually) represents all the Freeholders and voting Burgesses in Great Britain.*” This is an easy way of taking for granted what ought to be proved. It is, indeed, inverting the established order of proof; it is deducing a proposition which no body denies, as an inference from one which, on account of its absurdity, scarce any body can believe! In what sense can the Freeholders in Great Britain represent the Freeholders in America? Their interests are different—opposite—incompatible. Suppose a dispute to arise between the two countries, in which the lives, liberties, and properties of the inhabitants were in contest,—Would it not be contrary to every principle of equity, to every dictate of common sense, to refer the decision to persons chosen by one party only? And chosen, perhaps too, for the express purpose of deciding in favour of those who elected them; and who were also parties in the dispute, and were themselves to be benefited by the decision? An ingenious Gentleman observed in the House of Commons, that Judge Hobbert says, “ If an Act of Parliament was made, constituting a man a judge in his own cause, it would be void by the Law of Nature.” Suppose, in the case above-mentioned,



mentioned, these Delegates, so chosen, should decide, as they might reasonably be expected to do, in favour of themselves and friends,—Would you add the most offensive insult to injustice and oppression? Would you tell the other party—“ You have no right to complain; you are bound by the determination; the Judges *virtually represented* You?” That is, the Defendant is *virtually* represented by the Plaintiff, and therefore the latter only ought to speak!! You might, to be sure, if you were so minded, vindicate this procedure by—the *final reason of Kings*,—the laws of brick-bats and cannon-balls, and your competitor would be obliged to acquiesce; unless he thought proper to recur to the same arguments, and repel your injustice by brick-bats and cannon-balls.

Mr. F. asks a great many times over, and in great variety of language, “ *Are all the non voters,—all the minors, wives, widows, maidens, bed-ridden, sailors, imprisoned burgesses, absent freeholders, &c. &c. absent slaves, because they could not, or did not vote for a Representative in Parliament at the last Election?*” If we answer, *they are not*;—What has he gained? Mr. Evans’s assertion, that “ if the Americans submit to taxation by an Assembly in which they are not represented, their condition differs not from the most abject slaves in the universe,” may still be true: Mr. F. has not shewn, and he *cannot* shew, that the cases are precisely alike, his triumphing then, in this point, at least must be premature.

He attempts, indeed, to convince us, that the Americans are some of the most unreasonable Colonists in the world, for complaining of being governed by laws made without their consent, when a vast number of Britons are governed by laws, made, not only *without*, *against*, their consent. He asks, P. 37. “ *When did the freeholders, who have estates from fifty to ninety-nine pounds a year, consent to be deprived of the liberty*



“ to shoot a hare on their own land? When did the  
 “ Quakers consent to have their property taken from them  
 “ for not paying tythes? When did all the freeholders  
 “ of Middlesex consent to be additionally taxed, in order  
 “ to enforce the taxation of the Colonists?” &c. I an-  
 swer, All these people consent to the several laws  
 enumerated, when, and so long as, their representa-  
 tives in Parliament permit them to be in force. “ But  
 “ you mean an *implicit consent*?” I mean, Sir, a *real*  
 consent, either expressed or implied. I know of no  
 other kind of *consent*. Suffer me to illustrate this by  
 a quotation from the instructions given to the Penn-  
 sylvania Delegates to the General Congress: “ Upon  
 “ the whole, (says the Committee appointed to  
 “ draw them up), we shall repose the highest confi-  
 “ dence in the wisdom and integrity of the ensuing  
 “ Congress: and though we have offered to you  
 “ [the people] such instructions as have appeared ex-  
 “ pedient to us, yet it is not our meaning, that the  
 “ Deputies chosen by you should be restrained from  
 “ agreeing to any measures that shall be approved by  
 “ the Congress. We should be glad if they could,  
 “ by their influence, procure our opinions to be as  
 “ nearly adhered to as may be possible: but to  
 “ avoid difficulties, we desire that they may be in-  
 “ structed by you to agree to any measures that may  
 “ be approved by the Congress, the inhabitants of  
 “ this Province having resolved to adopt them, and  
 “ carry them into execution.” We find here a peo-  
 ple wisely consenting, for the sake of unanimity, to  
 adopt measures, of which, in their private judgments,  
 they might not approve.

But then Mr. F. will demonstrate, that according to  
 “ this doctrine I myself have taxed the Colonists.” I con-  
 fess here his argument is good. We must admit this  
 charge; it is an inevitable consequence of our own  
 positions. I hope, however, no part of the innocent  
 blood shed on this occasion will be required at my  
 hands.



hands. I am under the cruel necessity, either of implicitly consenting to measures which fill me with indignation and horror, or of adopting others more ruinous, more sanguinary, more horrible still. Either the determination of the majority in Parliament must be admitted and received, or the whole fabric of the Constitution must be torn in pieces, and confusion, desolation, anarchy, and ruin must spread from sea to sea. I consent, therefore, to the admission of *one evil*, to avoid a *greater*.

Permit me to be a little more explicit upon this subject. When I first read the account of the skirmish at Concord and Lexington, I was shocked at the recital. It is acknowledged on both sides, (the Gazette asserts it), that the first who fell were Provincials; the first blood that was shed, was shed by our soldiers. The immediate cause of it was, an attempt (which indeed succeeded) to destroy some ammunition and provisions. Whose property were these? The property of the Provincials. I wish they had remained their property to this day. I have been from that time of opinion, the blood that was then shed in defence of a violation of right and justice will not go unpunished. I desire, however, to keep my hands unstained; as far as it is possible, I mean to be guiltless in this matter. With this view I declare, where-ever I can, my disapprobation of this unhappy war; with this view I am now writing, and I wish what is here said may be considered by my friends, as a public testimony that I have no union of sentiment with those who *began* it. O my soul! come not thou into their secret; to their assembly, mine honour! be not thou united; for in their rage they have slain their brethren.

“ But if the majority is to determine, surely the Colonists must be ungrateful, perverse and wicked, to rise against such taxation; for who, considering her wealth, fame, glory, and invincible navy, can doubt but that Great Britain is the majority of the British Empire?”



p. 24. This is deciding by the laws of highwaymen, —those of cutlasses and fire-arms. The matter is at issue in that way: and who will be *invincible* is yet unknown. If you wish the majority of the *British Empire* should determine, you should endeavour to take the sense of the *whole* British Empire; Delegates from every part of it ought to have been convened and consulted. With what reason can you call the representatives chosen by one district, the representatives of the whole? You know not on which side the majority would have been, if all who are concerned had been equally admitted. You first exclude all but your own party, those of your own electing, and then triumph in the determinations of a majority! If the excluded should attempt to murmur or complain, you have a method effectually to silence them;—you remind them of the situations of their towns, by pointing to your *invincible navy*.

The manner in which Mr. F. treats this subject would almost induce one to think, that in his opinion it is not very material whether we have any Representatives at all. Suppose the Ministry were to tax us at their own discretion, without giving the ‘*pot-boilers*’, the people of property in the kingdom, any trouble in electing Members of Parliament:—Should we then be in a state of political liberty, or slavery? In that case, it is possible we might not be taxed “*without proportion, without judgment, and without mercy.*” p. 65. But I think we should *lie at the mercy* of Administration, who in some future time (when the Gentlemen who composed it were not so parsimonious as the present, might perhaps not be very tender of us, especially if they were themselves to gain by every tax they laid upon us. The British Constitution does not design that the subjects of it should be in that state. It supposes that every man who holds his liberty and property *at the will* of another, is a *slave*. Hence the reason and nature of representation: And hence the opposition in America  
to



to taxes imposed by the British Parliament. Mr. F. thinks the Americans have no more reason to object to this, than the non-voters in England have. I have had occasion to say something in opposition to this notion in attending him in his reveries about the nature and absurdity of equal representation ; but as it is a point he insists much on, and frequently repeats, I shall now attempt to give a satisfactory answer to it. He asks, p. 15, “ *When you grant that some men who do not vote for Members of Parliament may be constitutionally taxed, do you not indirectly grant that Colonists may be constitutionally taxed without having particular Representatives.* ”—I have stated this argument in the most favourable manner for Mr. F.’s cause. I omitted the words “ *some towns, as Birmingham,* ” which make a part of it in his Pamphlet, because an advantage might have been taken to evade the force of it, by observing, that many persons in Birmingham have a right, as freeholders, to vote for the county Members ; consequently it cannot be said, that Birmingham is totally unrepresented.—I apprehend, then, that the case of the unrepresented Colonists differs from the case of the non-voters in England, in the following respects :—

1. Altho’ many of the inhabitants of England have not a right to vote for Members of the House of Commons, yet there are many who *have* ; whereas in America, *not one* inhabitant has a right to vote. And *some* representation, if a complete one cannot be obtained, is certainly better than *none*. In England, there may be a *defect of mode* in the representation : in America there is an *extinction of the substance* ; there is no representation at all. “ There is a perceptible difference between a *deformed* man, and a *dead* man.”

2. Representation in England is as extensive as property. You cannot find a place for any property to exist in, which is not within the limits of some district entitled to elect Members of Parliament ; all



taxable property in England is therefore represented. Hence the truth of Lord Camden's observation, "that every blade of grass in this kingdom is represented." The Constitution never supposes that a Member, when chosen and returned, will have more regard for the interest of those who voted for him, than for the interest of those who voted against him, or of those, residing in the same district, who have no votes. His duty requires him to pay equal attention to all. Did ever a Knight of a Shire attempt to screen his friends from bearing a due proportion of the land-tax? It is the same with Burgeſſes. Their particular duty is to take care of the trade and privileges of the Borough for which they are elected; which will benefit the voters and non-voters in an equal degree. Indeed their interests are inseparable, they stand or fall together. Hence the propriety that representation should be diffused all over the kingdom, that no part may be without a Representative, to declare its condition, and defend its rights.

3. Each Province in America has a legislature of its own, invested with every kind of power necessary, both for the defence and protection of the Empire, and the regular administration of justice and execution of the municipal laws among its inhabitants: imposing and levying taxes, deciding legal controversies, and punishing delinquents, even with the loss of life, are matters for which they are undeniably competent. They have a complete legislature; and the executive power of the Province is vested in the Governor, who is also a branch of the legislative power. Need they then, for the purposes of their own Government, be under the controul of a foreign one? Can they be under such controul without imminent danger? Might not the two legislatures enact contradictory laws? The consequence would be, one must be divested of its rights, that is, be annihilated, to make room for the supremacy of the other. The Colonists think this will be the case with them, if they



are subdued in this contest. They ask, " For what purposes should their assemblies ever meet ?"

4. The interests of Great Britain and of the Colonies, with respect to each other, are always different, often contrary and irreconcilable. Hence, for our separate advantage, all the various restrictions on their trade. Can any thing more demonstrate the futility of our claim to make laws for them in all cases, than the partiality of the laws we make ? If, as it is contended, our Members of Parliament are the Representatives of the Empire at large, why are their decisions calculated to favour one part more than another ? Why are they studious to promote the advantage of Great Britain even at the expence of America ? Is it not contrary to the plainest dictates of common sense to suppose, that any set of men can be the Representatives of a people whose interests and inclinations they are continually and avowedly fighting against ? Let this supreme legislative power hold the scales of justice with an even hand ; let it view all the subjects of this extended Empire, wherever situated, with an impartial eye, and the controversy will take a different turn, or rather no controversy will remain. The various laws for regulating their commerce, as we call them, can never be reconciled with justice on any other principle, than that the duty of our Members of Parliament requires them to promote the interests of their Constituents in preference to any other people upon earth.

*Lastly.* " The vast body of Englishmen, who have  
 " no right to chuse their Representatives, or who,  
 " through absence, cannot exercise their right, may  
 " consent to the disposal of their property, because  
 " they have always this security, that those who take  
 " an active part in the disposal of their property,  
 " must at the same time dispose of an equal proportion of their own :—Whereas the American can  
 " have no voice in the disposal of his property ; and  
 " what is worse, those who have the power of dis-



posing of it, are under every possible temptation to abuse that power; because every shilling they take out of the pocket of an American is so much saved in their own."—Mr. F. calls this our "*capital argument*," p. 32. And with great confidence tells us, he "*he will give it a full answer*." We have no objection to canvass the strength of this *full answer* with him; but must still remind him, there are other points between us to settle, before he will be permitted to triumph as having gained the victory. His boasting answer consists of several particulars: He says,

I. "It is IMPROBABLE *that our law-givers would save a dirty shilling in their own pocket, by oppressively taking one out of an American's pocket*."—*Impossible!* Is that all? Will the Americans be content with a PROBABILITY that their property is their own? Would Englishmen be content in such a case? It has been said, that in framing laws, we ought to proceed with a sinister opinion of all mankind; and conclude, that if any are not wicked, it is only because they want the power of being so. It is the taking away the *power* of doing ill, that is the design of all laws. We may therefore be allowed to fear, that if our lawgivers are possessed of an unlimited power to tax America, they may abuse that power; not to save a *dirty shilling*, but to obtain a decent income of perhaps a thousand a-year. But, "*they are so far from abusing this power, that for every sixpence they take out of an American's pocket, they take 16 s. out of their own*." The Americans deny this; and affirm that, taking the restrictions on their trade into the account, they are more taxed than any people in the Empire. And to put the matter out of dispute, they give you your choice: "If, say they, we are to contribute equally with other people in the Empire, let us equally with them enjoy free commerce with the whole world: But while the restrictions on our trade shut to us  
" the



“ the resources of wealth, is it just that we should  
 “ bear all other burdens equally with them to whom  
 “ every resource is open ?”

2. “ *Our constitution obviates your ungenerous suspicion,  
 “ by ordering, that our Legislators shall all be men of  
 “ fortune, above the felonious trick you speak of.*” O  
 happy England ! thy Senators are all the quintessence  
 of virtue and goodness. Can any *licentious* American  
 be so indecent as to hesitate one moment in resign-  
 ing unreservedly his life, liberty, and property, into  
 such honourable hands ! But suppose this order of  
 the constitution should be evaded : Probably our  
 Members do not all answer this description. Will  
 Mr. F. say they do ? What does he think of one of  
 the Members for Middlesex ? One vote may lose a  
 question. And if the order of the constitution is  
 violated in one instance, it is possible that it may in  
 300. How are seats generally obtained ? Here, then,  
 alas ! we gain no ground. An American may be ex-  
 cused (not being so well acquainted with our Mem-  
 bers as we are) if his faith in their *genuine worth  
 and honour*, should not be quite strong enough to in-  
 cline him to commit his whole fortune to their abso-  
 lute disposal.

3. “ *You mistake when you say, the Americans can  
 “ have no voice in the disposal of their property ; for as  
 “ many as chuse may buy freeholds in England, and be-  
 “ come electors.*” Good Sir, how are their votes to be  
 conveyed hither ? Will they *float in the air, or glide  
 under the ocean* ? Or are the Americans at every elec-  
 tion to forsake houses and lands, wives and children,  
 fly across the Atlantic, and light, like birds of pas-  
 sage, on our coasts ? And then, would all these ad-  
 venturing English freeholders be Colonists in this  
 country ? Certainly not ; they would be Englishmen ;  
 would vote as Englishmen, and vote for a Member  
 for a particular English county, or English borough.  
 Before you can make Colonists voters, you must  
 make it possible for them to live here and in their



own country at the same instant of time. If you meant to give them a share in our Legislature, you should receive Members into the House of Commons from New-York, Boston, Philadelphia, and all the counties and principal towns on the extensive Continent of America. The method you propose might be a mockery and insult, but never could be of any service to them. Would you secure to them their property, by obliging them to squander it away? If they could be *wafted by the western winds to fair Albion's happy shore*, would not the expence of the journey, in money and loss of time, be the inevitable ruin of the greatest part of them? If they complain of the tooth ach, would you propose, as a cure, that they cut off their heads! if, as you suggest, any of them became candidates at the next election, and obtained seats; they must be returned for a county, or borough, in Britain; and consequently could only represent, in connection with their fellow-members, the commonalty of Britain. You allow they could not represent *Ireland*. And it has been shewn, the reasons will hold good with respect to every province on the Continent of America. You say indeed, p. 34. "*Ireland is not a kingdom subjected to England.*" I confess I think it is. You call it "*a sister kingdom.*" That is nothing. Give it what name you please, you will find it in fact a *subordinate* kingdom. Why else do we make laws to bind their commerce? You observe farther, "*The minority in Parliament plead the American cause against the privileges of the electors whom they particularly represent.*" At last, then, it is confessed, that English electors are *particularly* represented. What *particular* representative have the freeholders in Virginia in our Parliament? ——" *But their cause is pleaded against the privileges of our electors.*" By no means. It was in defence of the rights and interests of Britain that the minority pleaded, when they opposed a *change* in our system of Colony government, which they foresaw would terminate



terminate in blood and ruin. O that their reasoning had been more attended to !

4. *There are members in both Houses of Parliament who have large property in America ; who probably when they tax the Colonists, take more money out of their own pockets than from Adams and Hancock.* It has been said, Mr. Hancock before these troubles commenced was worth at least fifty thousand pounds sterling ; but his property, consisting chiefly of a wharf, warehouses, &c. was rendered of very little value by the passing of the Boston Port Bill ; so that now probably his property is very small, except what his patriotism procures him from his grateful and generous countrymen. Mr. Adams, I think, is a gentleman of the *long robe* ; whose life, like the lives of too many Antinomian patriots, and Antinomian ministerialists, on this side the water, has been far enough from the purity required by the Gospel. But why are these gentlemen's names introduced into this controversy ? If they were not in existence, would America be the less tenacious of her rights ? To return to the subject—Have not those members who have large foreign possessions, some property in England ? At least, do they not eat and drink while they attend their Parliamentary duty : You have already informed us, that “ *we are all taxed in the articles of house-keeping*” p. 29. And as the avowed design in taxing the Americans is, to relieve ourselves, the case with these gentlemen will be, they will take a little money out of one pocket, to put perhaps a larger sum into the other ; so that they might still ‘ acquire by bestowing’, and be gainers by their generous and liberal donations.

5. “ *If the Colonists were afraid of being taxed more heavily than the rule of proportion allows—*” Sir, this is shifting the question. They deny your right to tax them at all. If you can of *right* take any of their property without their consent, you may, if you please, take the whole of it. An ingenious writer observes,



observes, " It is an evil rooted in the human heart,  
 " that men will never think they have enough, when  
 " they can take more ; nor be content with a part,  
 " if they can seize the whole." The Americans  
 therefore determine to *resist a disease in the beginning* \*.  
 They also maintain, that considering the restrictions  
 on their trade, and the necessary expences of their  
 own respective Governments, (and which we never  
 think of paying for them) they are already taxed  
 equal to, if not beyond, a fair proportion. You say,  
 " *they ought to have petitioned.*" Indeed Sir, they  
 have petitioned : Which of the Colonies have not ?  
 The House of Burgeses of Virginia tells Lord Dun-  
 more, that " they have exhausted every mode of ap-  
 " plication, which their invention could suggest, as  
 " proper and promising." And the General Con-  
 gress appeals to the world in the following affecting  
 words : " When the world reflects on the bold and  
 " rapid succession of injuries, which, during a course  
 " of eleven years, have been aimed at these Colonies ;  
 " when it reviews the respectful and pacific expo-  
 " sitions, which *during that whole time*, were the sole  
 " arms we opposed to them ; when it observes that  
 " our complaints were either not heard at all, or were  
 " answered with new and accumulated injury ; when  
 " it considers the great armaments with which they  
 " have invaded us, and the circumstances of cruelty,  
 " with which they have commenced and prosecuted  
 " hostilities ;—when these things, we say, are laid  
 " together, and attentively considered, can the world  
 " be deceived into an opinion, that we are unreason-  
 " able ; or can it hesitate to believe, with us, that  
 " nothing but our own exertions (under Providence,) " can

\* The patriots of Charles's time were of this mind. " It is  
 " not that ship-money hath been levied against us, but it is, that  
 " thereby ship-money hath been *claimed*, which is the gift and  
 " *earnest penny of all we have.*"

CLARENDON.



“ can defeat the Ministerial sentence of death, or  
 “ abject submission.” *You ask, Would not our Law-*  
 “ *givers grant them any reasonable request?* No. Their  
 requests have been rejected. What you say about the  
 tea shall be considered soon.

*Lastly. “ If pleading that our superiors may abuse their*  
 “ *power, be a sufficient reason to shake off their autho-*  
 “ *rity; all apprentices may emancipate themselves; they*  
 “ *may say, my master indeed uses me well; but he is*  
 “ *under every possible temptation to starve me; since every*  
 “ *meal he will save in denying me proper food, will be a*  
 “ *meal saved for himself.*” I wish, Sir, for the credit  
 of your writings, you would use fewer *similes*, or se-  
 lect such as are suited to your purpose. *It is not true*  
 that “ a master is under every possible temptation to  
 “ starve his apprentice.” That those who do not  
 eat, cannot work, is no less a dictate of common  
 sense, than it is a saying in almost every one’s mouth.  
 It is therefore the interest of every master to supply  
 his apprentice with food sufficient to preserve active  
 vigorous health. Again, the Americans do not re-  
 sist merely from apprehensions of what we intend to  
 do; but on account of our having already invaded  
 their privileges and property. The apprentice,  
 moreover, may be very easy, because in case of ill-  
 usage, he has an impartial and disinterested tribunal  
 to appeal to for redress. To whom must the Ameri-  
 cans appeal? To the very men of whom they com-  
 plain; and who tell them, *they have a right to bind*  
*them in all cases whatsoever.*

I have now considered Mr. F.’s *full answer*. Has  
 he removed the difficulty? No. The answer hardly  
 relates to it. It is made up of a variety of different  
 positions; all of them foreign to the purpose, and  
 all of them (as has been shewn) without any founda-  
 tion in equity and truth.

Mr. F. very severely blames the Americans for  
 destroying the tea;—but let us consider that matter  
 with a little evenness of mind. How came the East  
 Indi,



India Company to send this article to Boston, in the manner they did? why was so *unprecedented* a step taken? If it was an insidious attempt to force the Colonists to submit to taxation, the destruction of it became necessary, on the principles of self-defence. If a train was laid to blow up my house, I should be justified in destroying it, if upon notice given to the aggressor, he not only refused to remove it, but openly persisted in carrying his nefarious design into execution. “ The scheme of the tea, says an American advocate, was contrived chiefly for the purpose of establishing a precedent, for raising a revenue in America. The Colonists were not to be deceived, and they were as steady to their purpose, as Government was to theirs. If the tea should be landed, it would be sold, and the duty would be paid; and this would be used as a precedent for other taxes. The whole continent was united in sentiment, that all opposition to Parliamentary taxation must be given up for ever, if this critical moment was neglected. Accordingly New-York, and Philadelphia, determined that the ships should be sent back; the consignees at Boston (dependents on Government) *would not consent*; the custom-house refused clearances; Governor Hutchinson refused passes by the castle. The question then was, with many, whether the Governor, officers, and consignees should be *compelled* to send the ships away? An army and navy was at hand, and bloodshed was apprehended.—At last, when the continent, as well as the town and province, were waiting the issue of this deliberation, with the utmost anxiety, a number of persons, in the night, put them out of suspense, by an oblation to Neptune.”

“ All men will agree, that such steps ought not to be taken, but in cases of absolute necessity, and that such necessity must be very clear. In this case an attack was made upon a fundamental principle of the Constitution, and upon that supposition

“ tion



“ tion was resisted, after multitudes of petitions to  
 “ no purpose had been presented, and because there  
 “ was no tribunal in the constitution, from whence  
 “ redress could have been obtained.”

I think Mr. F. is *disingenuous* in what he says about the County Palatine of Chester, p. 35. Mr. Evans had observed, from Lord Camden's speech, that the Parliament, having laid a tax upon that Palatinate, the inhabitants refused to comply with it; they petitioned the King to order the Commissioners not to proceed, “ for they had a Parliament of their own, “ and had always been used to tax themselves.” Mr. F. to evade the force of the argument, pretends great candour; he *allows* that the County Palatine of Chester was independent on the British Parliament, and affirms, that the Colonists are not. “ GRANTING, “ says he, *that the Palatinate of Chester was as independent on the British Parliament, as the Palatinate of Germany.*” This is begging, or rather *stealing* the question. He is not asked to *grant* this, but required to *prove* it. The inhabitants of Chester were subjects of the British Crown, as much as any of our Colonists at this day are; and the Act which authorises them to send members, expressly declares,—  
 “ That the inhabitants of the said county had *always*  
 “ *formerly been* bound by the Acts and Statutes made  
 “ by authority of the *Court of Parliament*, as far forth  
 “ as other counties, cities, and boroughs, have  
 “ been †.” This demonstrates, that the Parliament of Chester was *not* independent on the British Parliament. And Mr. Evans's argument required, that it should not. To *grant* therefore that it *was* independent, is an ingenious device,—a specimen of true Geneva logic.

Respecting the Pennsylvania Charter, I admit Mr.  
 F. has

† See this subject treated with great accuracy and judgment in Mr Parker's excellent pamphlet, entitled, “ An Argument in Defence of the Colonies.”



F. has a seeming advantage; it does in express terms mention taxation by the British Parliament. And this is the only fort of which he can keep possession: I shall not therefore attempt to dislodge *him*, but to silence *it*; which, if I can effect, he will have no other option left, but to surrender at discretion: he may however do this, both with honour and safety, as some of the bravest and most generous people on earth are his foes.

He observes,—*a charter is a bargain, and honest men dare not go from their bargain.* This is granted. And in all bargains there are two contracting parties equally bound; neither of which, if they are honest, dare violate the compact: if one of them departs from it, the other with reason may be less scrupulous about the performance of it. If one party claims privileges to the detriment of the other, to which by the agreement he is not entitled; the other, in return for conceding to those claims, may, without any violation of justice, demand something by way of equivalent; and, in case of meeting with a refusal, may recall the concessions he had gratuitously made.

The charter allows taxation by Parliament, but does it forbid the inhabitants to manufacture steel? or does it confine their trade and privileges within the limits prescribed by all our restraining and regulating laws? To these the Pennsylvanians willingly submit, while you suspend your claim of taxation. If you begin to enforce that claim, they will revolt against your commercial laws; they will call them encroachments.

“ Whether you were right or wrong in establishing  
 “ the Colonies on the principles of commercial mo-  
 “ nopoly, rather than on that of revenue, is at this  
 “ day a problem of mere speculation. You cannot  
 “ have both by the same authority. To join to-  
 “ gether the restraints of a universal external and inter-  
 “ nal monopoly, with a universal external and inter-  
 “ nal taxation, is an unnatural union, perfect un-  
 “ compensated slavery. You have long since deci-  
 “ ded



“ded for yourself and them; and you and they have  
 “prospered exceedingly under the decision.” BURKE.

It is hardly to be expected, that a charter, granted perhaps under a particular influence for the first settling a distant Colony, should mark out, with unerring wisdom, all the rules and laws necessary for the right government of that Colony with respect to the parent state, when it shall attain the grandeur and importance of a flourishing and populous nation. In process of time, difficulties will occur, and disputes will arise. Would it not be better to obviate those difficulties, and to settle those disputes, by referring to the laws of the Constitution, rather than by force of arms?

The right of granting their own money has undoubtedly ever been considered as an unalienable privilege of British subjects. If the rule in some instances should be too nice for practice, a deviation in those instances will not be controverted, if the general principle is preserved, which gives security against improvident and exorbitant grants. But if the British Parliament have a right to tax the Americans *ad libitum*, that principle is not preserved; the grantors are not liable to bear an equal proportion of the contributions they impose. In this instance, a fundamental principle of the British Constitution is violated; and also of the constitutions of all our provinces, which arose out of it, and were designed to be formed upon the same model.

That a King may grant charters, in which are clauses inconsistent with, or subversive of, the first and most essential privilege of the subject, is possible; but it is not possible these clauses should have any validity or force. The King can neither *do* nor *think* wrong. In all cases, therefore, where the prerogative infringes upon the principles of the Constitution, the law determines, that *his Majesty was deceived in the grant*. This reasoning will hold with respect to the American charters. “That states without freedom, should, by *principle*, grow out of a free  
 “state,



“state, is as impossible as that sparrows should be produced from the eggs of an eagle †.” But if, in defiance of natural equity and constitutional law, you insist on the *express terms* of Colonization, you will please to remember, it is expected, that you strictly adhere to them yourself, and the Colonists will claim every privilege of which the express words of their charter do not deprive them.

It has often been observed, that Maryland Charter expressly exempts that Province from all British taxation. Here then we have no shadow of right. We cannot plead either reason, equity, law, usage, policy, or compact, in justification of our conduct. We madly scatter about the world arrows, firebrands, and death; and if we are asked the reason of all this rage and mischief, we haughtily remit the enquirer to the sword for an answer. To the sword, then, the Colonists reply, since nothing else will satisfy you, let the appeal be made. And may the God of battles, the supreme arbiter of Kings and kingdoms, be a shield and defence to the injured and oppressed.

If it be asked, What have the rest of the Colonies to do with the exemption contained in the charter of Maryland? How are Virginia, Pennsylvania, and New-York, affected by a violation of the stipulated rights of the Marylanders? I answer, In the same manner my property is affected, when the adjoining house is on fire. Am I not authorised, nay called upon, to exert myself to the uttermost to stop and extinguish the spreading flames; lest the devouring element, after having laid my neighbour's property in dust and ashes, should annihilate my own?

I think I have now considered Mr. Fletcher's arguments, drawn from reason and the constitution, in defence of the American war. How far I have succeeded in the attempt to demonstrate that they are not

† Dickenson's Essay.



not founded on these, but utterly inconsistent with both of them, must be left to the determination of the candid reader.

I own I am somewhat surprized, that Mr. Fletcher should appeal to the sacred Scriptures in defence of his cause. Is it not strange, that the doctrines of the Prince of Peace, and Saviour of the World, should be produced by his ministers in vindication of destruction, hostility, and war! What has this devoted people done, that our *invincible* fleets insult their towns, and our embattled hosts cover their plains? Why do we cry “ Havoc, and let loose the dogs of war?” Why is there no pleasant voice heard in all their late so happy land! The sound of the trumpet, and the din of arms, is heard from city to city, and from shore to shore! *What have they done?* Have they pillaged our fields, plundered our houses, abused our women, and murdered our children? No. They have done us good, and not evil, all the days of their lives; they never meet us but they salute us as their elder brethren; they never visit us but with gifts in their hands; they fill our nation with the flour of wheat, and they make the hearts of our poor to dance and sing.—But are they not then the tyrants of the rest of the world, that sack cities, lay waste kingdoms, and load themselves with spoil:—and is it not our zeal in defence of the injured rights of mankind, which prompts us to raise the “ *hostile arm, and shoot the deadly lightning of war?*” No. They are the friends and benefactors of the world; their hospitable country is an asylum for the distressed of all nations.—But they have said to us—*We will be governed, as our fathers were governed; and we will love one another, as our fathers loved one another.*—Dreadful crime indeed! Is it not time to beat to arms; to cry out, disloyalty! sedition! treason! rebellion!

The passage of Scripture which Mr. F. produces in defence of his opinion is the following:—*Let every soul be subject to the higher powers. For there is no*

E

power



power but of God: The powers that be, are ordained of God, Whoever therefore resisteth the power, resisteth the ordinance of God: And they who resist, shall receive to themselves condemnation, &c. Wherefore ye must needs be subject not only for wrath, but also for conscience sake. For this cause pay you tribute also, &c. Render therefore to all their dues: Tribute to whom tribute is due, custom to whom custom."

We are in this passage commanded to render to all their dues. If we did this, I believe the war would cease: Unless it be true, that the Americans have no dues. "The modern doctrine, says Mr. Dickinson, of our British adversaries, is truly remarkable; for though it points out what are not our rights, yet we can never learn from it what are our rights. For example; Great Britain claims a right to take away nine tenths of our estates—Have we a right to the remaining tenth? No. To say we have is a traitorous position denying her supreme legislature. So far from having property, according to these late found novels, we are ourselves a property." But this is not the language of truth. The Americans have rights.

They have, moreover, always paid tribute (taxes) to the King's representative, to whom it is due. They refuse to pay tribute to the British Parliament to whom it is not due. "We conceive, say they, that the British Parliament has no right to intermeddle with our provisions for the support of civil government, or administration of justice. The provisions we have made are such as are agreeable to our circumstances: they answer the substantial purposes of government and justice; and other purposes should not be answered. We do not mean that our people shall be burthened with oppressive taxes, to provide sinecures for the idle or the wicked. While Parliament pursue their plan of civil government within their own jurisdiction, we  
" also



“ also hope to pursue ours without molestation.”  
*Gen. Congress.*

But do not the Americans fall under the condemnation of resisting the ordinance of God? Do they not resist the powers appointed of God? In order to to determine this with truth and precision, we must first enquire,—In whose hands was the administration of civil government lodged previous to these commotions? The answer is easy and certain. Indubitably in the General Assembly of each province, composed of the King’s Representative, the Council, and the House of Burgesses. Do the Provincials resist this authority? They surely do not. Are not we then the aggressors? Does not the guilt of resisting the Divine appointment belong to us? O England! Will not God be avenged on such a nation as THIS?

They are charged with disaffection and disloyalty to their rightful sovereign. They deny this charge in the strongest and most explicit terms. One reason of their opposing, ‘with arms in their hands,’ the *novel* pretensions of our Parliament is, because were these pretensions admitted, they would cut off their intercourse between their sovereign and them. “ Were  
 “ we denied the freedom of granting our own money,  
 “ we must, as dutiful and loyal subjects, ever lament our being stripped of the only means, as  
 “ well of recommending this country to the favour  
 “ of our most gracious sovereign, as of strengthening  
 “ those bands of amity with our fellow subjects,  
 “ which we would wish to remain indissoluble.”

*Gen. Congress.*

When an ingenious writer is determined to blacken his opponents, to make them appear ridiculous or mischievous, he may always find opportunities to do it. The friends of the rights of America are charged by Mr. F. with holding principles subversive of all peaceable and orderly Government; with exciting disaffection to the King; and encouraging tumult and outrage among his subjects. This charge



is as false as it is injurious. Upon what is it founded? Upon Mr. F's abusive epithets and unjust inuendoes. He gives us a florid description of the absurd, impious, and lawless proceedings of the followers of John of Leydon, of those of *Ket* the tanner, and of the agitators in Cromwel's army; and scruples not to say, '*that the wild Republican spirit, which animated Ket and his army, worked in those days just as licentious patriotism works in ours.*' And that we may not be at a loss to know to whose account he charges this *licentiousness*, he tells Mr. Evans, that '*he countenances one of the most dangerous principles of the levelling Anabaptists—a principle whereby all government may be overthrown.*' p. 59. This accusation is easily made, but to prove it from the pamphlet in question will, I am sure, require more logic than Mr. F. has yet thought proper to give us.

In p. 64. he renews the charge—'*some dissenters among us grow restless, openly countenance their brethren in America, and make it a point of conscience to foment divisions in the kingdom.—But whether they hope a Revolution on the continent would be productive of a Revolution in England, is a DEEP QUESTION.*' Sir, that question, *deep as it is*, may be easily answered. What is the fair, natural tendency, of all that these *restless spirits* have said or done, from the commencement of this dispute to the present day? To what end do their endeavours point? To PEACE, and nothing else. If they wished for a Revolution, would they petition and importune his Majesty to keep his army and his navy at home? Would they anxiously solicit him to make peace with his American subjects, thereby uniting the whole empire on his side? If their desires, their prayers, were granted, would not King George be so firmly seated on his throne, that the united efforts of all the states upon earth, humanly speaking, were they exerted, would not be able to move him? Would he not, in short, be the most powerful, as well as the happiest monarch alive? O,  
Sir,



Sir, lay aside your pretensions to loyalty, or direct your endeavours, in future, to promote the tranquility of our sovereign, and the safety and prosperity of his subjects.

One ridiculous conjecture may, perhaps, be well enough answered by another. Suppose, Sir, the design of a Revolution should be entertained by *your* party:—Let us examine the probability of this surmise by the tendency of their measures. An *innovation* has been adopted in our colony administration, which has set the whole continent of America in a flame: that innovation is still persisted in, and the establishing of it attempted by the point of the bayonet. This may detach the Americans, consisting of *three millions of Whigs* (as Dr. Johnson calls them) from the interest of the King: our soldiers, our sailors, sent out of the way—I do not mean, Sir, to intimate that your Tory friends actually intend to bring in the Pretender; but you will excuse me in saying, that, in my opinion, if such a design exists, *Abitophel himself*, was he of the party, could not devise means more likely to accomplish it\*. You espouse an opinion, which you say, ‘*may be called a Jacobite doctrine*,’ p. 43. I confess I dislike Jacobitism, because Jacobites are enemies to King George. Thirty years before the commencement of this social war in America, they were in arms to dethrone his grandfather; and thirty years before that time, they were in arms to dethrone his great grandfather. May Divine Providence preserve his present Majesty out of their hands.

\* “So directly opposite to the interest of Great Britain has the conduct of *administration* been for some time past, that it may safely be affirmed, that if their view was to establish arbitrary power over *Great Britain*, schemes more dangerous could not have been laid. To profess this purpose, would ensure a defeat. Any man, who had such a design, would first take the opportunity of peace, to set one part of the subject against the other.” New Essay, 57.

I know



I know not that I have much controversy with Mr. F. respecting the '*origin of power.*' Perhaps he is contending without an adversary. '*Promotion cometh neither from the East, nor from the West: And why? God is the judge: He putteth down one, and setteth up another,* p. 42. All I think will allow this to be '*his incontestible right.*' And Mr. F. asserts, that the Lord sometimes brings this about '*by means of the people.*' No candid Revolutionist can ask for a greater concession. Certainly '*no concurrence of the people can deprive Jehovah of his divine prerogative.*' When the ten tribes of Israel revolted from Rehoboam, *the thing was of the Lord*, that he might punish the House of Solomon; *because they did not walk in the ways of the Lord, to keep his statutes and his judgments, like David their father.*—Some people imagine they see the finger of God in the rising greatness of America: they lament that, instead of our partaking of it, and making it our own, we are now (vainly perhaps) endeavouring to obstruct and prevent it. The powers that *are*, are *ordained* of God. What is the ruling, *existing power*, this day in America?—This subject is too sublime for me:—I shall transcribe for the reader's reflection the learned Mr. Bates's Comment on 1 Kings, cap. xii. v. 16.

" The grandeur of the court and its luxury, and the  
 " oppression, it is likely, of the *numerous officers* neces-  
 " sary in the gathering and expending of so large a  
 " *civil list* as Solomon had, and in which the young  
 " men about Rehoboam found their advantage, seem  
 " to be all the grievances the people had to complain  
 " of; and as these *just* complaints were not listened to,  
 " the natural consequence, considering the nature of  
 " the meeting, was a revolt: and God would not per-  
 " mit Rehoboam to make use of his army, which in all  
 " probability had encouraged him to return the tyran-  
 " nical answer he did to his people. Kings can seldom  
 " see their own real interests, and people are too apt to  
 " complain; but when *one* person consumes in luxury,

if



“ if in no worse a way, what *millions* are almost starved  
 “ by paying, let the *Christian* consider the account he  
 “ is to give hereafter, and the *politician* take the advice  
 “ afforded him in this piece of history.”

Mr. F. I think justly, dislikes a Republican form of Government. In opposition to it, he cites the authority of Calvin, who, he tells us, was a strong Republican; and of Baxter, a preacher in Oliver's army. It is rather strange that he should produce the authority of these two men, to demonstrate the absurdity of a scheme of Government, of which one of them was an avowed defender, and to which the other had not at least much aversion. Their testimonies amount only to this:—That principles which themselves adopted as salutary and good, might be abused, might be carried to excess, or be misapplied, and thereby be made the accidental cause of misery and ruin. May not high monarchical principles be equally abused? May they not be extended, till they terminate in tyranny and despotism? But I am not a friend to Republicanism. I prefer the limited monarchy of England, before any other form of Government that I know of. But, I doubt, if I should be of Mr. F's mind, in preferring ‘*an arbitrary king to an arbitrary mob.*’ The sudden insurrections of a lawless multitude may, like an inundation occasioned by an hasty shower, for a while carry devastation and ruin wherever they go; but having no settled and determinate end to aim at, no permanent and acknowledged principle whereon to support their extravagancies, and it not being possible for them long to support themselves in that state of turbulence and anarchy, they would naturally, as soon as the first transports of their rage subsided, fall back again, like rivers when the rain abates, into their proper channel. But the case would be very different with an arbitrary tyrant when once seated in the chair of despotism; he would gather strength by continuance, and soon so secure himself behind military intrenchments,



ments, that it would, not perhaps, be possible ever to displace him, at least not without a most violent and desperate struggle.

We are informed, p. 65. of a reprimand given by a chief magistrate in a mild Republic to a friend of Mr. Fletcher's, for his only hinting at a method of redressing an avowed grievance:—Who, said the magistrate, *made you a teacher of your sovereign's? Learn to know your own business.* I have read that the Emperor *Caligula*, one time at supper, burst suddenly into a loud laughter, and the Consuls, who sat near him, desiring, with great respect, to know the cause of his mirth, *I laugh*, said he, *to think, that I can have both your throats cut with the least nod of my head.* Once at a sacrifice, he unexpectedly appeared among the rest in the habit of a priest, and taking up the axe, as if he designed to knock down the victim, instantly beat out the brains of the priest, who stood next him. He was not, indeed, often so hasty; he generally put the victims of his cruelty to lingering deaths; his usual expression was, *let them feel themselves dying.* And *Nero's* barbarity filled the whole empire with funerals and lamentation; he murdered his own mother, and caused the city of Rome to be set on fire; at the same time commanding, that the flames should not be stopped, and promising to remove, at his own expence, the rubbish and dead bodies. Afterwards, to throw off the odium from himself, he charged the guilt of the conflagration upon the innocent Christians; and on that pretence raised the first general persecution; wherein great numbers were put to death with every circumstance of barbarity. “ Their death and torture were aggravated with cruel derision and sport; for they were either covered with the skins of wild beasts, or torn in pieces by devouring dogs, or fastened to crosses, or wrapt up in combustible garments, that when the day-light failed, they might, like torches, serve to dispel the darkness of the night.”

?

Nor



Nor was our *Harry* the Eighth far behind these *Roman* worthies in the trade of butchery. He made such promiscuous havoc of Papists and Protestants, of both sexes, of all ranks and orders, his own wives not excepted, that he seemed to take delight in shedding the blood of his subjects. Not being able in a long disputation to convince one *Lambert*, that Transubstantiation was the truth, he at length asked him, *Whether he would change his opinion, or be burnt to death?* *Lambert* had the fortitude to chuse the latter, and *Henry* the mean cruelty to order him to be executed. These instances serve to shew, that men of arbitrary principles ought not to be intrusted with much power; and that arbitrary power, under whatever form of Government it is exercised, is always dreadfully dangerous to the people.

A judicious author observes, " That if we want to  
 " know what the protection of absolute monarchy  
 " is, what kind of fathers of their countries it makes  
 " Princes to be, and to what degree of happiness and  
 " security it carries *civil society*, where this sort of  
 " Government is grown to perfection, we need only  
 " look into the history of Ceylon, written by Knox.  
 " Speaking of an arbitrary Prince, the author says,  
 " He sheds a great deal of blood, and gives no rea-  
 " son for it; nor is he content to take away mens  
 " lives, but he puts them to long and lingering tor-  
 " ments; for when he is displeased with any, he  
 " will command to cut and pull away their flesh with  
 " pincers, and burn them with hot irons to make  
 " them confess their accomplices; which to rid them-  
 " selves of the torments they will readily do, and ac-  
 " cuse many they never knew nor saw. Then he  
 " will order their hands to be tied about their necks,  
 " that they may eat their own flesh, and so lead them  
 " through the city to execution; the dogs, who are  
 " used to it, following them to devour their flesh. At  
 " the place of execution, which is always in the largest  
 " highway,



“ highway, that all may see and stand in awe, there  
 “ are always some sticking upon poles, others hang-  
 “ ing up in quarters upon trees, besides what lie on  
 “ the ground, killed by elephants or otherwise. He  
 “ hath a great many prisoners, whom he keeps in  
 “ chains; some in goal, others in the custody of  
 “ great men, and for what, or how long, no man  
 “ dare enquire. Some are allowed food, others not;  
 “ and if they do any work to relieve their want, if  
 “ he knows it, he will not permit them; because,  
 “ as he says, he put them there to torment and  
 “ punish them, and not to work and be well main-  
 “ tained; yet this is connived at, and there are shops  
 “ by the prisons to sell their wares. When the  
 “ streets by the palace are to be swept, the prisoners  
 “ in their chains are let out to do it. When they  
 “ have been long in prison, at his pleasure, without  
 “ any examination, they are led to execution; nor  
 “ is his anger appeased by the death of the male-  
 “ factor, but he oftentimes punishes all his genera-  
 “ tion, sometimes killing them all-together, and  
 “ sometimes giving them all away for slaves; and  
 “ thus he usually deals with those whose children are  
 “ his attendants; for after they have been at Court  
 “ a while, and know his customs and manners, he  
 “ cuts off their heads, and puts them in their bellies,  
 “ no man knowing for what crime. When they are  
 “ killed they are called rebels and traitors, and their  
 “ father’s houses, lands, and estates, seized on for the  
 “ King’s use, which are sometimes redeemed by giv-  
 “ ing fees to the courtiers; but often the whole fa-  
 “ mily and generation perish.”

We have here a portraiture at full length. The  
 Semi-God, Despotism inshrined in all its glory.

————— Black he sits as night,  
 Fierce as ten furies, terrible as Hell :  
 At his right-hand, obscene, and foul with blood,  
 As chief associate, and prime minister,  
 Horror plum’d attends.

Mr.



Mr. F. intimates, that an arbitrary tyrant, being but one, cannot do much mischief. But is not this contradicted by the histories of all nations? It is true, if he had no attendants, no ministers of vengeance about him, he would be weak and impotent as another man; but while his guards implicitly obey his cruel dictates, he avails himself of the assistance of King-Mob, the multitude; and he has this peculiar advantage, that he can collect their whole force into one point, and direct it to one end. What they are clothed in, whether military uniforms, or leathern aprons, is totally immaterial.

I hope it will not be suspected, that I think Mr. Fletcher capable of abetting a despotism of this kind. By no means. I do not think there is a man in the kingdom, who would not reject it with horror. I introduced the relation merely as a contrast to Mr. F's worst extreme of Republicanism, and to remind him, that as we are too candid to impute to him, who declares himself an advocate for a mild Monarchy, all the consequences that may be deduced from an arbitrary principal; so we expect that he will not charge us, who profess ourselves advocates of the same mild Monarchy, with all the consequences that may be deduced from a principle of lawless liberty; which principle we also oppose with all our might.

With respect to the crimes and outrages committed by this *Cerberius*; *this hydra*, *this briareus*, *this many headed, hundred banded monster*; *this King-Mob*; *these tritons*; *these beasts with leonine fierceness*, *assinine meanness and serpentine sportiveness*—we are no more answerable for them than Mr. Fletcher is. Let us see what the charges, contained in perhaps a hundred questions, are:—They have broken our windows, because we would not, to gratify their humour, put lights in them; they have stopped our coaches, till they have perpetrated the barbarous crime of chalking Wilkes 45, upon the doors; they have chalked 45 upon Justice C——l's  
back;



back ; they have burnt Lord B— in effigy ; they have insulted the Prime Minister within sight of the Senate House ; they have mobbed a Lord Mayor, who, to prevent their hollowing before the Mansion-House, had the prudence to run among them with his drawn sword ; and—they have *almost* done something else —The offences are violations of the public peace, and they ought not to be countenanced : But the dispute about taxing America can answer, as the lamb did the wolf, *they were all committed before I was born*. I know not, indeed, if that will be thought a sufficient excuse.

I am sorry Mr. F. has taken notice of the affair of St. George's Fields. I heard the firing when the lives of about eight persons were sacrificed to (I think) a too vindictive, at least a too hasty, spirit. Such irregularities of a mis-guided populace, as then existed, may be punished with too great severity.—*Right too rigid hardens into wrong*—I am afraid in that affair, as in some others, murder has been committed and *the land is not yet purged of blood*. But the Lord, who *sitteth* above, will in every thing do right. The advocates of America mean not to *irritate* and inflame the passions ; they only desire to convince the judgment, and amend the practice.

X Mr. F. seems not to write with great accuracy, when he asserts, that the Americans hold their lands of the King, as cottagers do their huts of the Lord of the Manor. The first settlers purchased their charters, either of the King, or of those to whom, for particular reasons, the King had granted them. It was tyranny and persecution, and not the generosity of the English Government, that forced them to that "*outside of the world*." And it required no little fortitude, to enable persons of rank and good circumstances in life, to bid a final adieu to "all the conveniences and delights of England, their native country, and exposing themselves, their wives and children, to inevitable hardships and sufferings,



“ ings, in a long voyage across the Atlantic, to land  
 “ upon a most inhospitable shore, destitute of any  
 “ kind of building to secure them from the inclemency of the weather, and of most sorts of food  
 “ to which they always had been used at their former  
 “ home.”†

It is also proper to be taken notice of, that some at least of the emigrants purchased the lands of the original inhabitants, who certainly had the best right to sell; and for full value. Indeed, several of considerable fortunes were totally ruined before any settlement in New England could be effected; and when some progress in establishing that colony had been made, the proprietors of lands complained, the price of clearing was so great, that they would not, when cleared, sell for the money. Nor would the Indians, if they had inviolably adhered to their own contracts, been at all injured. They were, doubtless, confined within narrower limits; but to a people possessed of so extensive a country, all of which was totally uncultivated, this was no disadvantage: or if it was a disadvantage, the benefit of the European arts, together with the various utensils made use of in carrying them on, which their visitants introduced among them, and accommodated them with, was vastly more than an equivalent for it. Those people, previous to the admission of the English into their country, were wretched beyond description; hardly able to procure necessaries for the support of life; and in danger of being extirpated by their numerous fellow-inhabitants, the wild beasts.

“ Pride then was not; nor arts that pride to aid;

“ Man walk'd with beast, joint tenant of the shade.”

Mr. *Kalm*, who travelled through great part of North America in the years 1748,—9, and 50, observes,

† Hist. of Massachusetts, Vol. I. 19.

serves, that the Indians were totally unacquainted with iron, although the country abounds every-where with iron mines, and the ore of it was almost constantly under their eyes. When they wanted to fell a strong tree, they made a fire at the root of it, and, to prevent its ascending higher than they intended, kept constantly washing the tree above the fire; by which means, with great difficulty, they got it to fall. They took the like method in hollowing a tree out for a canoe, laying fire all along the stem of it, and continually wetting the sides, to make it burn only in the middle; and with sharp flints, or clamshells, constantly scraping off the burnt wood, and smoothing, as well as they could, the inside of the boat. " Their dwellings (says this gentleman) are  
 " wretched huts of bark, exposed on all sides to wind  
 " and rain. All their masonry-work consists in pla-  
 " cing a few grey rock-stones on the ground round  
 " the fire-place, to prevent the fire-brands spreading  
 " too far in their hut, or rather to mark out the place  
 " intended for the fire place in it." Vol. ii. p. 127.

Mr. Hutchinson describes their wretchedness in still stronger languages. He says, they are represented to have been as near to a state of nature as any people upon the globe; living promiscuously together, like brute beasts; without religion, without laws, without property, and almost without government. The superior strength of the man was made use of to keep the wife in subjection, and oblige her to undertake every kind of drudgery. In removing from place to place, the women carried not only the children upon their backs, but every thing else they were possessed of. They not only provided bark, and stakes, the materials of their cabins, but were the house-wrights who built them. They were obliged to plant their corn (which they did by making holes in the ground with a stick, and dropping the seed into them); also to procure shell-fish, and other

fish



fish for the family, and provide wood and water for dressing their food. "The men commended themselves for keeping their wives employed, and condemned the English husbands for spoiling good working creatures." It is said the parent had very little authority over the children: the *storgée* in the parent might be observed towards the child; but no return was made by the child; as soon as it was capable, it was as ready to resist and oppose its parent, as any other person †.

They were not, however, entirely divested of humanity. They shewed courtesy to the English at their first arrival, were hospitable, and made such as could eat their food welcome to it. There does not seem to have been much virtue in this; their manner of life, and being used to have nearly all things in common, might contribute greatly to it. They always expected an equivalent for whatever they parted with on some future occasion. This is certainly a selfish

† The celebrated Rousseau represents a life of this kind as the highest perfection of human nature. — "The state of those nations which we depreciate with the name of savage, is that in which the human happiness is greatest in society; every advancement which has been made to that which is called the present improvement of felicity, is in reality such, in which both slavery and misery are most prevalent. Children ought no longer to be connected with their parent, than they stand in need of his assistance; when they can provide for themselves, the natural tie is of course dissolved. Happy times! when men, wandering in the woods, like other beasts, satisfied their hunger with acorns at the first oak, slaked their thirst at the first brook, found their bed under the foot of the same tree, and behold, all their wants supplied." This philosophy of human nature may, perhaps, be liable to some objections; at least, if Mr. Fletcher's *equal Representation* should ever obtain in this country, and the women be allowed a share in the Legislature, they never would, I am persuaded, consent to the passing of a law, that, in exchange for the privileges which, as British Ladies, they of right possess, would give them even the supremely delightful pleasures enjoyed by Indian squaws.

selfish principle; and it is observed, that all children, before the dawn of reason, have something like it. A plain vestige of the fall; and a proof, that the depravity consequent upon it, is co-extensive with the species, and diffused through the whole progeny of Adam. They were not totally without compassion, gratitude, and friendship. Some degree of the social affections is inseparable from human nature. But they had many vices. "They were false, malicious, and revengeful. The least injury caused in them a deadly hatred, which could never be allayed. They were infinitely cruel to their enemies, cutting and mangling their bodies, and then broiling them alive upon hot embers, and inflicting the most exquisite torments they could invent." It is not certainly known, that, after the English came among them, they ever fed upon human flesh; although many circumstances make it highly probable, that, previous to their arrival, some tribes of them, at least, had attained that utmost boundary of savage ferocity. *Mohawk*, in the Indian language, signifies cannibal, from *Mobo*, to eat. Our Historians mention, that, in one of their wars with the English, a party of them took some of the English prisoners, among whom was a young child; that their provisions failing before they reached their *Wigwams*, and not knowing how to procure a supply, they determined to broil the child and eat it; for which purpose they actually kindled a fire; but a great dog running past at that instant, they shot and eat it, instead of the child †.

They were remarkable for firm well-compacted bodies, strong and active, capable of enduring the greatest hardships, and regardless of cold. In the winter they would make holes in the ice, and sit round

† It is their practice to get all the European children they can, which they take care of, and bring up as their own.



round them upon their naked skins, catching Pickrel  
breams, and other fresh-water fish. Their cloathing,  
when they wore any, was the skins of wild beasts.  
The men were intolerably lazy; more dirty, foul,  
and fordid than swine. “ Sometimes you might see  
“ a great half-naked Indian, at some distance from  
“ the Governors and Commissioners of the several  
“ Colonies, in the midst of a conference, picking  
“ lice from his body for half an hour together, and  
“ cracking them between his teeth. One of the  
“ laws they made upon the first pretences to civi-  
“ lity, laid a small penalty upon such as cracked lice  
“ with their teeth. They pleaded in excuse the law  
“ of retaliation, and say it is no shame to eat those  
“ that would eat them.” They are, in short, repre-  
sented as the most fordid and contemptible part of  
the human species, the veriest ruins of mankind up-  
on the face of the earth \*.

When

\* It is thought the Indians about Massachusetts Bay were more  
depraved than several other tribes. This seems to favour the opi-  
nion, that the North American continent has been peopled at dif-  
ferent times, and by different sorts of people. The Authors of  
the Universal History tell us, that the Welsh, among others, con-  
tributed towards peopling the new world. They relate, that,  
about the year 1170, one Madoc, being deprived of his right to  
the succession, put to sea for new discoveries; and sailing west, he  
discovered a country of wonderful beauty and fertility. But find-  
ing it uninhabited, upon his return, he carried thither a great  
number of people from Wales. Hence, say these Gentlemen, it  
is, that modern travellers have found several old British words  
among the inhabitants of North America. Vol. xx. p. 194.

We find something that strengthens this notion in Mr. Beatty's  
Journal of 1766. — “ I was informed, (he says), by one B.  
“ Sutton, who had been taken captive by the Indians, that he  
“ had been at an Indian town, a considerable distance from New  
“ Orleans, whose inhabitants were not so tawny as the other  
“ Indians, and who spoke Welsh.” And he further informs us,  
of a British clergyman, who was taken prisoner by some Indians,  
and condemned to die. But praying before his execution, and  
happening to use the Welsh language, the Indians were surpris-  
ed to hear him pray in their language, and reversed his sentence. He

F

went

When the English first landed at New Plymouth, they found the country thin of inhabitants; a mortal, contagious distemper, supposed by some to have been the plague, swept away such vast numbers, that some tribes were in a manner extinct; the Massachusetts particularly were so diminished, that, out of thirty thousand fighting men, they could not raise three hundred. This gave our settlers great confidence in the Divine protection, and made them conclude, *that God had driven out the Heathen from before them, and caused them to possess the lands of the Gentiles.*

These people still continue to decrease very fast. So late as the year 1763, there were upon the island of Nantucket about 320 Indians: A putrid fever attacked them on the beginning of October, and before the end of January following, there remained only 85 souls alive, 15 of which, having wintered in the streights of Belleisle, escaped the distemper. What is remarkable, not one of the English inhabitants took it. It is not improbable, but that the whole race of Indians, in a few years, will be extinct, at least on that part of the continent where the Europeans are settled. It is observed, that notwithstanding their frequent ruptures with the English, very few of them comparatively have perished by the sword; and in many respects the English have taken great pains to prevent their destruction, but all in vain; they waste, they moulder away, they disappear, in a manner, which, on human principles, cannot be accounted for.

It is also remarkable, that notwithstanding all the attempts that have been made to civilize them, and to teach them the knowledge of the true God, very little has been done that way. We have had, indeed, some instances of conversions among them; many

went home with them, and found a tribe, whose native language was Welsh. They also shewed him a book, which they could not read, but he found to be a Welsh Bible.



many Christian schools have been established in their country, and several companies of *praying Indians* gathered together : And these instances shew, that as God has made of one blood all the nations upon earth, so he is no respecter of persons ; but whosoever feareth him, and worketh righteousness, is accepted of him ; but they fall vastly short of any thing like a *national* conversion ; in this respect they are only *as the morning cloud*, or *as the early dew*. Mr. *Kalm* says, there are very few instances of Indians adopting the European customs, their own roving licentious manner of life being, in their opinions, so much better.

As the English are the only Europeans who took possession of America on the principles of justice ; so they are, perhaps, the only people, who do not conform to, and mix with the original inhabitants. The French frequently intermarried with the Canadian Indians, lived in society with them, and, by degrees, turned savages themselves. And it is well known the *Mexicans*, (those who escaped the desolating swords of Cortez and Pizarro) on their being subdued by a foreign power, were instantly reduced to a state of captivity and vassalage, and became slaves and pack-asses to their lordly masters the Spaniards. Such conduct suits not the genius of the *British Americans* ; if the natives wish to dwell with them, it is necessary that they be transformed into the same species ; that is, that they lose their “ leonine fierceness, and asinine meanness,” and become rational men.

It is, moreover, certain, that notwithstanding the strange mortality among the native Indians, that country is far from being unhealthy. The Europeans have increased upon it beyond all example. Dr. *Franklin* supposes, if they continue to increase in the same proportion for a century more, their number will not be less than a hundred millions. Mr. *Kalm* accounts for this rapid population in these remark-

able words :—" As soon as a person is old enough,  
 " he may marry in these Provinces without any fear  
 " of poverty; for there is such a tract of good  
 " ground yet uncultivated, that a new married man  
 " can, without difficulty, get a spot of ground where  
 " he may sufficiently subsist with his wife and family.  
 " The taxes are very low, and he need not be under  
 " any concern on their account. The liberties he  
 " enjoys are so great, that he considers himself as a  
 " Prince in his possessions." He mentions several instances of longevity among, and amazing fruitfulness of the first settlers, which he extracted from the Philadelphia Gazette; one of which I shall transcribe:

" In 1739, January 28, died at *South Kingston* in  
 " New England, Mrs. *Maria Hazard*, a widow, in  
 " the hundredth year of her age. She was born in  
 " *Rhode Island*, and was grandmother of the then  
 " Vice-governor of that island, Mr. *Geo. Hazard*.  
 " She could count five hundred children, grand-  
 " children, great-grandchildren, and great-great-  
 " grandchildren. When she died, two hundred and  
 " five persons of them were alive; a grand-daughter  
 " of hers had already been a grandmother near fif-  
 " teen years †."

The ways of Providence are inscrutable: his path is upon the waters, and his footsteps are not known. But a contemplative mind, accustomed to reflect on the amazing wisdom of God, manifested in his overruling human events, for the most advantageous display of his own divine perfections, may sometimes, unblamed, indulge a speculation on the probability of events, which are not in actual existence: and if we strictly adhere to the analogy of faith, and propose, as our ultimate object, the accomplishment of those predictions which are vouchsafed to mankind for

† Mr. Hutchinson observes, the first born female in Massachusetts Colony lived 87 years; the first-born in Plymouth Colony near 84 years; and the first-born in Rhode-Island, 87 years.



for the comfort and encouragement of the church of Christ, however mistaken we may be in applying to particular cases, our theory in general will be right. The great drama of human affairs seems to be advancing near to a conclusion. The whole world, since our late circumnavigations, is almost within our prospect: the cession of Canada by France to England, considered as an event brought to pass by the immediate intervention of Providence, as a preparatory step towards raising an American Empire, the glory and magnificence of which probably will soon astonish the world: the present commotions, happening at a time when that continent abounds with men of the most liberal and enlarged understandings, of generous sentiments, of inflexible integrity, and invincible courage: the various states in Europe ready to fall in pieces of their own accord, or kept from laying each other in ruins only by jealousy and fear:—Do not these particulars, and others that might be mentioned, form a combination of circumstances, that may induce a *fanciful* imagination to believe, that the beginning of sorrows, the concussion and perplexity of nations, is not very distant; and also, that a way is opening for spreading, with inconceivable rapidity, the divine religion of our common Saviour, to the utermost ends of the earth?

There is one charge against the Americans still, which I wish to obviate, and that is, the inhuman practice of buying slaves. I must acknowledge, if it could be made appear that this trade was carried on at their request, or even with their consent, it would have some influence in making me think, that the distresses they are now enduring are inflicted on them as a punishment for that crying sin. But, when I understand it is one of the grievances of which they complain; that they have passed Provincial laws to prohibit it, which were always defeated by the machinations of a few African corsairs residing in England, who had sufficient influence to prevent their be-  
ing

ing confirmed by our Government, I own I am of another mind †: I am ready to conclude, that the Divine indignation is impending over the heads of a people, who, to the intolerable enormities they have committed in the East, add the no less flagrant injustice of the slave-trade in the West. One may almost imagine there is a voice crying, in every corner of the land, "Make haste, and depart from this devoted kingdom."

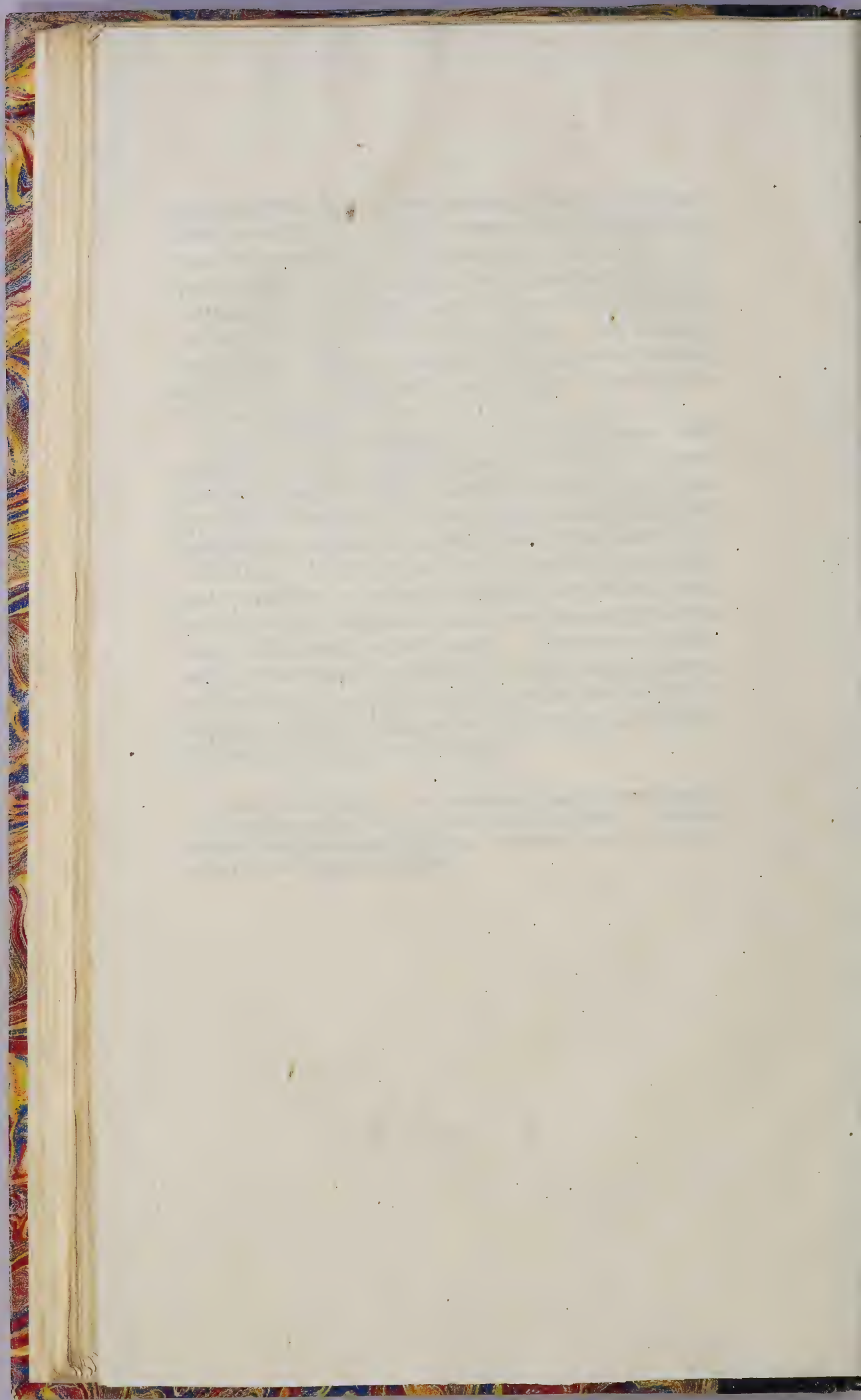
I am far from thinking, that the Americans will not suffer much in this arduous contest. It seems consistent with the will of God, perhaps it is the order of his Providence, that no nation shall attain great prosperity, without being first tried in the furnace of Affliction. Worldly glory is of a nature too fragile and perishing to remain long on any foundation; but that which is built on vanity and human presumption, will soonest vanish away. To remove these, which is best done by sufferings, is like digging deep, and securing a good foundation; without which your building, however gorgeous it may appear, will possess neither strength nor stability.

† One of the first acts of the American Congress was to abolish this iniquitous traffic, as far as their influence reached. If all the Western Hemisphere was under their dominion, would it be prejudicial to the rights of mankind?

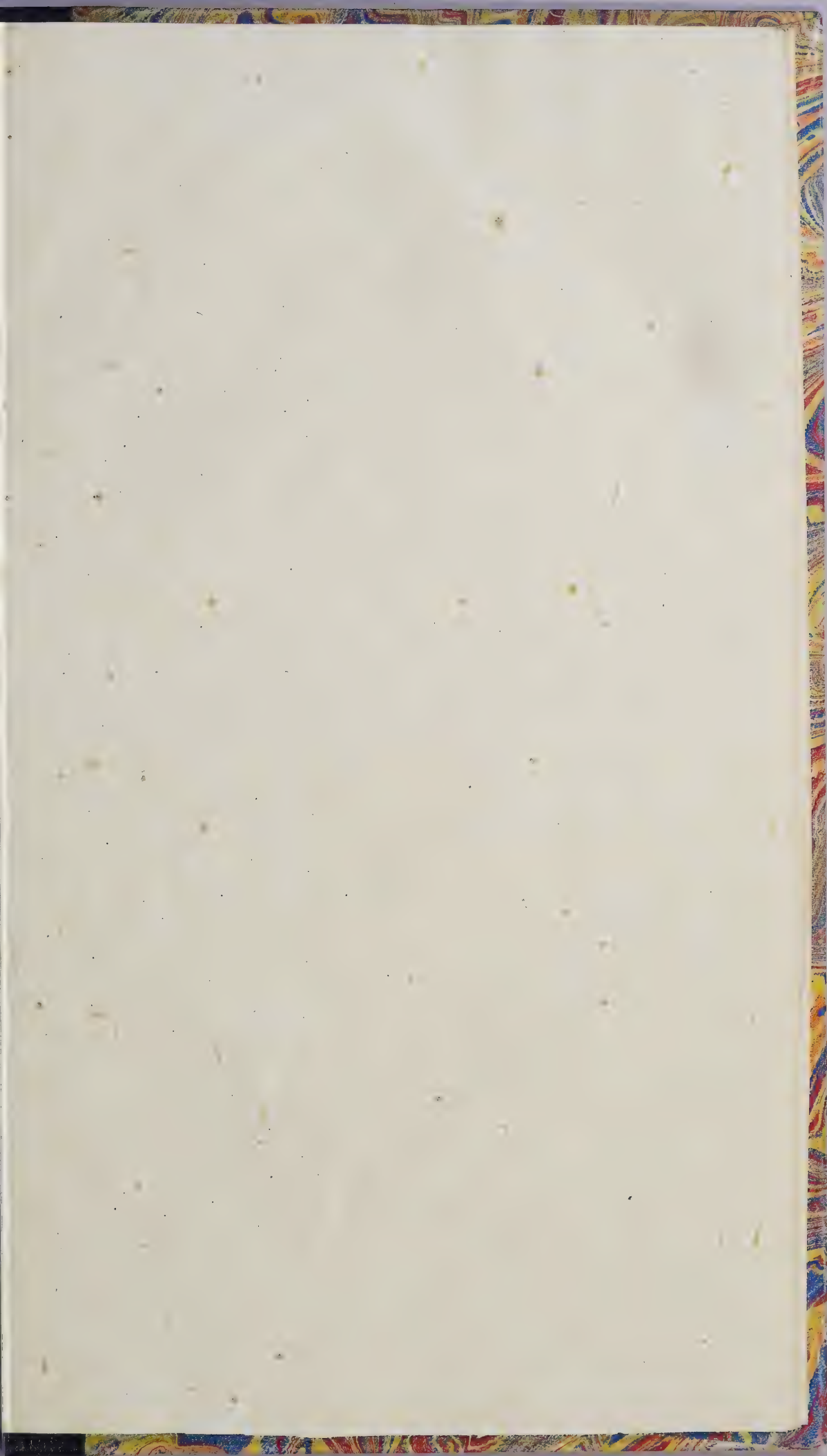
F I N I S.























~~D776  
m5330j~~

D776

R449j



